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Publications

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Sessional papers.

SESSIONAL PAPERS.

VOL XLII.—PART XI.

SECOND SESSION

OF THE

TWELFTH LEGISLATURE

OF THE

PROVINCE OF ONTARIO.

SESSION 1910.

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No. 2.... Estimates for the service of the Province until the Estimates of the year are finally passed. Presented to the Legislature, 28th January, 1909. *Not Printed.* Supplementary Estimates for the year 1909-10. Presented to the Legislature, 1st and 28th February, 1910. *Printed.* Estimates for the year ending 31st October, 1911. Presented to the Legislature, 7th March, 1910. *Printed.*

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No. 4..... Report of the Bureau of Mines, for the year 1909. Presented to the Legislature, 10th March, 1910. *Printed.*

No. 5.... Report of the Inspector of Division Courts, for the year 1909. Presented to the Legislature, 8th February, 1910. *Printed.*

No. 6..... Report of the Inspector of Legal Offices, for the year 1909. Presented to the Legislature, 8th March, 1910. *Printed.*

No. 7..... Report of the Inspector of Registry Offices, for the year 1909. Presented to the Legislature, 8th March, 1910. *Printed.*

No. 8..... Report of the Provincial Municipal Auditor, for the year 1909. Presented to the Legislature, 14th March, 1910. *Printed.*

No. 9.... Report of the Commissioners for the Queen Victoria Niagara Falls Park, for the year 1909. Presented to the Legislature, 4th March, 1910. *Printed.*

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No. 11.... Financial Statements made by Loan Corporations, Building Societies, Loaning Land Companies and Trust Companies, for the year 1909. Presented to the Legislature, 18th February, 1910. *Printed.*

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No. 14.... Report on Highway Improvement in Ontario, for the year 1909. Presented to the Legislature, 14th February, 1910. *Printed.*

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No. 17.... Report of the Board of Governors of the University of Toronto, for the year ending 30th June, 1909. Presented to the Legislature, 27th January, 1910. *Printed.*

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No. 20.... Report of the Provincial Board of Health, for the year 1909. Presented to the Legislature, 21st February, 1910. *Printed.*

No. 21.... Report upon the Hospitals for the Insane of Ontario, for the year ending 30th September, 1909. Presented to the Legislature, 8th March, 1910. *Printed.*

No. 22.... Report upon the Hospital for Idiots and Epileptics, for the year 1909. Presented to the Legislature, 8th March, 1910. *Printed.*

No. 23.... Report upon the Feeble-Minded in Ontario, for the year 1909. Presented to the Legislature, 9th March, 1910. *Printed.*

No. 24.... Report upon the Hospitals and Charities of Ontario, for the year ending 30th September, 1909. Presented to the Legislature, 8th March, 1910. *Printed.*

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No. 28.... Report of the Department of Agriculture, for the year 1909. Presented to the Legislature, 14th March, 1910. *Printed.*

No. 29.... Report of the Ontario Agricultural College and Experimental Farm, for the year 1909. Presented to the Legislature, 10th March, 1910. *Printed.*

No. 30.... Report of the Ontario Veterinary College, for the year 1909. Presented to the Legislature, 10th March, 1910. *Printed.*

No. 31.... Report of the Ontario Agricultural and Experimental Union, for the year 1909. Presented to the Legislature, 10th March, 1910. *Printed.*

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No. 33.... Report of the Fruit Branch of the Department of Agriculture, for the year 1909. Presented to the Legislature, 10th March, 1910. *Printed.*

No. 34.... Report of the Ontario Vegetable Growers' Association, for the year 1909. Presented to the Legislature, 10th March. 1910. *Printed.*

No. 35.... Report of the Ontario Corn Growers for the year 1909. Presented to the Legislature, 10th March, 1910. *Printed.*

No. 36.... Report of the Entomological Society of Ontario, for the year 1909. Presented to the Legislature, 10th March, 1910. *Printed.*

No. 37.... Report of the Ontario Bee-Keepers' Association, for the year 1909. Presented to the Legislature, 10th March, 1910. *Printed.*

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No. 41.... Report of the Women's Institutes of Ontario, for the year 1909. Presented to the Legislature, 4th February, 1910. *Printed.*

No. 42.... Report of the Poultry Institute of the Province of Ontario, for the year 1909. Presented to the Legislature, 4th February, 1910. *Printed.*

No. 43.... Report of the Agricultural Societies of Ontario, for the year 1909. Presented to the Legislature, 4th February, 1910. *Printed.*

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No. 44.... Report of the Horticultural Societies of Ontario, for the year 1909. Presented to the Legislature, 10th March, 1910. *Printed.*

No. 45.... Report of the Bureau of Industries of Ontario, for the year 1909. Presented to the Legislature, 10th March, 1910. *Printed.*

No. 46.... Report of the Inspectors of Factories of Ontario, for the year 1909. Presented to the Legislature, 10th March, 1910. *Printed.*

No. 47.... Report of the Temiskaming and Northern Ontario Railway Commission, for the year 1909. Presented to the Legislature, 27th January, 1910. *Printed.*

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No. 48.... Return to an Order of the House of the Twenty-first day of February, 1910, for a Return shewing: (*a*) What is the area of the Gillies Limit. (*b*) How much of the area has been reported to the Government to be mineralized. (*c*) How much of the area has been prospected. (*d*) How much of the area has been sold. (*e*) What are the dates of the respective sales, the amount sold in each case, the names of the purchasers and the prices obtained in each case. Presented to the Legislature, 9th March, 1910. Mr. *McDougal. Not Printed.*

No. 49.... Report of the Ontario Railway and Municipal Board, for the year 1909. Presented to the Legislature, 1st February, 1910. *Printed.*

No. 50.... A Return from the Records of the General and Subsequent Elections to the Legislative Assembly on the 8th day of June, 1908, shewing:—(1) The number of Votes Polled for each Candidate in each Electoral District in which there was a contest; (2) The majority whereby each successful Candidate was returned; (3) The total number of Votes Polled; (4) The number of Votes remaining unpolled; (5) The number of names on the Polling Lists; (6) The number of Ballot Papers sent out to each Polling Place; (7) The Used Ballot Papers; (8) The Unused Ballot Papers; (9) The Rejected Ballot Papers; (10) The Cancelled Ballot Papers; (11) The Declined Ballot Papers; (12) The Ballot Papers taken from Polling Places; (13) A General Summary of Votes cast in each Electoral District; (14) A similar statement as to any Elections held since the General Election. Presented to the Legislature, 26th January, 1910. *Printed.*

No. 51.... Report upon the Archives of the Province, for the year 1909. Presented to the Legislature, 8th March, 1910. *Printed.*

No. 52.... Report of the Librarian on the state of the Library. Presented to the Legislature, 27th January, 1910. *Printed.*

No. 53.... Agreement and Contract with William Briggs, D.D., Book Steward of the Methodist Church, in connection with the Printing and Binding for the Legislative Assembly of Ontario. Presented to the Legislature, 26th January, 1910. *Printed.*

No. 54.... Agreement and Contract with E. H. Harcourt Company, Limited, in connection with the Binding, etc., for the Legislative Assembly of Ontario. Presented to the Legislature, 26th January, 1910. *Printed.*

No. 55.... Report of the Milk Commission appointed to enquire into the production, care and distribution of Milk. Presented to the Legislature, 21st February, 1910. *Printed*

No. 56.... Copies of Regulations and Orders in Council in the matter of Education, made pursuant to the provisions of 6 Edward VII., Cap. 52, Section 27, since the last Session of the Legislature. Presented to the Legislature, 27th January, 1910. *Not printed.*

No. 57.... Statement of the Auditor made pursuant to the provisions of Section 13, Sub-section 2, of the Audit Act as amended by Section 6, Chapter 10, 9 Edward VII. Presented to the Legislature, 27th January, 1910. *Printed.*

No. 58.... Return to an Order of the House of the Thirtieth day of March, 1909, for a Return shewing, during the past twelve months all permits to effect insurance in foreign unregistered Corporations, Insurers or Underwriters issued by the Insurance Registrar, under Section 86a of the Ontario Insurance Act, as amended by 2 Edward VII., Cap. 12, and 4 Edward VII., Cap. 15, and of all letters and applications in respect of which such permits were issued. Presented to the Legislature, 27th January, 1910. Mr. *Proudfoot. Not printed.*

No. 59.... Copies of Orders in Council in accordance with the provisions of Subsection 2 of Section 84 of the Surrogate Courts Acts, and Subsection 4 of Section 164 of the Land Titles Act. Presented to the Legislature, 3rd February, 1910. *Not printed.*

No. 60.... The Province of Ontario, Situation and Size, Climate, Products, Resources, Progress and Advantages. Presented to the Legislature, 4th February, 1910. *Printed for distribution only.*

No. 61.... Copy of an Order in Council under Sub-section 2 of Section 84 of the Surrogate Courts Act, authorizing payment of surplus surrogate fees to His Honour Judge Wismer, Junior Judge of the County Court of the County of Simcoe. Presented to the Legislature, 7th February, 1910. *Not printed.*

No. 62.... Return to an Order of the House of the Twenty-eighth day of January, 1910, for a Return: 1. Shewing the number of Licenses Granted to Fishermen in each of the following Districts in the years 1908 and 1909; (*a*) Lake Superior. (*b*) The Northern Channel of Lake Huron. (*c*) Georgian Bay. (*d*) Lake Huron and Lake St. Clair. (*e*) Lake Erie and Grand River. (*f*) Rivers St. Clair, Thames and Detroit, and (*g*) Lake Ontario and Bay of Quinte. 2. The kind of License Granted to each Fisherman. 3. The cost of Licenses to each Fisherman of each of the above Districts. Presented to the Legislature, 7th February, 1910. Mr. *Proudfoot*. *Not printed.*

No. 63.... Rules and Regulations made by order of His Honour the Lieutenant-Governor in Council, for the carrying into effect the Succession Duty Act. Presented to the Legislature, 14th February, 1910. *Printed for distribution only.*

No. 64. .. Statement on the distribution of the Revised and Sessional Statutes, up to 31st December, 1909. Presented to the Legislature, 14th February, 1910. *Not printed.*

No. 65.... Return of an Order of the House of the Seventh day of February, 1910, for a Return shewing: 1. A copy of the advertisement calling for tenders for the printing, publishing and supply of "Ontario Readers"; 2. Copies of all tenders received; 3. Copies of correspondence between the Government of Ontario or any official thereof and any tenderer or tenderers; 4. A copy of the contract entered into on behalf of the Government for the printing, publishing and supplying of "Ontario Readers"; 5. A detailed statement of the cost to the Government of supplying to the publisher electro-plates for each reader. Presented to the Legislature, 28th February, 1910. Mr. *MacKay* (*Grey*). *Not printed.*

No. 66.... Report upon Infant Mortality in the Province. Presented to the Legislature, 8th March, 1910. *Printed.*

No. 67.... Return to an Order of the House of the Sixteenth day of February, 1910, for a Return shewing: 1. The number of male teachers granted County Model School Certificates in the years 1906, 1907, 1908 and 1909, respectively. 2. The number of female teachers granted County Model School Certificates in the years 1906, 1907, 1908 and 1909, respectively. 3. The number of male teachers granted Normal School Certificates in the years 1906, 1907, 1908 and 1909, respectively. 4. The number of female teachers granted Normal School Certificates in the years 1906, 1907, 1908 and 1909, respectively. Presented to the Legislature, 8th March, 1910. Mr. *MacKay* (*Grey*). *Not printed.*

No. 68.... Return of an Order of the House of the Fourth day of March, 1910, for a Return of Copies of the Reports relating to the cause of the fire in the Parliament Buildings. Presented to the Legislature, 9th March, 1910. Mr. *Elliott*. *Not printed.*

No. 69.... Return to an Order of the House, of the Twenty-second February, 1910, for a Return shewing: All awards by any Arbitrator or Board of Arbitration, to settle disputes between the Hydro-Electric Power Commission and those over whose lands the Commission have taken easements. Presented to the Legislature, 10th March, 1910. Mr. *Reed* (*Wentworth.*) *Not printed.*

No. 70.... Return to an Order of the House, of the Twenty-fifth day of February, 1910, for a Return shewing: The total amount paid for inspection and overseeing work done on building Colonization Roads during the years 1908 and 1909. Presented to the Legislature, 10th March, 1910. Mr. *Proudfoot. Not printed.*

No. 71.... Return to an Order of the House, of the Twenty-fifth day of February, 1910, for a Return shewing: 1. The amount of Provincial Money (if any) loaned to Municipalities of the Province for Drainage purposes during each of the years 1904 to 1909, both inclusive. 2. The names of the Municipalities and the amount loaned to each in each of the said years. 3. The rate of interest charged the Municipalities, if other than four per cent. 4. The Special Grants (if any) given to Municipalities for Drainage Schemes during the said years, the names of the Municipalities to which given, and the amount given each. Presented to the Legislature, 10th March, 1910. Mr. *Stock. Not printed.*

No. 72.... Return to an Order of the House, of the Sixteenth day of February, 1910, for a Return shewing the number of permits and extensions granted to Public School Teachers during the years 1908 and 1909: 1. The reason for granting such permits and extensions. 2. How many of the teachers who received permits had previously taught. 3. The ages of the teachers who received such permits and extensions. Presented to the Legislature, 10th March, 1910. Mr. *Proudfoot. Not printed.*

No. 73.... Return to an Order of the House, of the Third day of March, 1910, for a Return shewing what steps (if any) the Canadian Northern Ontario Railway Company has taken towards the building of a section of the Railway into the clay belt of Northern Ontario in aid of which this House voted to the Company at its last Session a subsidy of four thousand acres of land for every mile of the Railway which may be constructed by the Company on certain conditions, among others that operations be commenced within one year from the date of the passing of the Act, April 13th, 1909. Presented to the Legislature, 10th March, 1910. Mr. *Johnson. Not printed.*

No. 74.... Report of the Bureau of Colonization, for the year 1909. Presented to the Legislature, 14th March, 1910. *Printed.*

No. 75.... Return to an Order of the House of the Twenty-fourth day of February, 1910, for a Return shewing: 1. The names of the gentlemen who compose the Commission for the Revision of the Statutes. 2. The total cost of the Revision to date, showing in detail, the persons to whom and on what account the money was paid. 3. When will the Statutes be completed. 4. What steps have the Government taken to induce or insist on the Commissioners completing their work at an early date. Presented to the Legislature, 15th March, 1910. Mr. *Proudfoot. Not printed.*

No. 76.... Return to an Order of the House of the Twenty-fifth day of February, 1910, for a Return shewing: 1. When was the resignation of the late Game Warden, T. A. Hand, accepted. Was it voluntary, or was he forced to resign. 2. What moneys had been collected by the said Hand and not accounted for or returned, and if Fishermen had fished and Hunters had hunted on receipts only given by the said Hand. If so, the amount of money unaccounted for and the number of such receipts given and to whom, together with copies of all correspondence covering the matters referred to in this clause. 3. All correspondence in connection with the resignation of the said Hand. 4. All moneys collected by the said Hand during the years 1907 and 1908 and of all moneys collected by the present officer, A. Calbeck, during the year 1909, together with the names of the persons from whom the said collections were made. Presented to the Legislature, 15th March, 1910. Mr. *Proudfoot. Not printed.*

No. 77.... Return to an Order of the House of the Thirtieth day of March, 1909, for a Return shewing: 1. How often had the present Government been asked for permission to institute an action in cases where a fiat was necessary. 2. How often had such permission been granted. 3. In what cases. 4. How often was such permission refused. 5. In what cases. Presented to the Legislature, 15th March, 1910. Mr. *Elliott. Not printed.*

No. 78.... Return to an Order of the House of the Twenty-fifth of February, 1910, for a Return shewing: 1. How many Emigrants the Salvation Army brought out from Great Britain and Ireland during the season 1909. How many were male and how many female. 3. How many were placed in the homes of the farmers of the Province of Ontario. 4. The names and addresses of the farmers. Also shewing: 1. How many Emigrants the Government of this Province brought out from Great Britain and Ireland during the season of 1909. 2. How many male and how many female. 3. How many were placed in the homes of the farmers of the Province of Ontario. 4. The names and addresses of the farmers. Presented to the Legislature, 16th March, 1910. Mr. *Studholme. Not printed.*

FOURTH ANNUAL REPORT

OF THE

ONTARIO RAILWAY
AND
MUNICIPAL BOARD

To December 31st, 1909

PRINTED BY ORDER OF
THE LEGISLATIVE ASSEMBLY OF ONTARIO

TORONTO:
Printed by L. K. CAMERON, Printer to the King's Most Excellent Majesty
1910

Printed by
WILLIAM BRIGGS,
29-37 Richmond Street West,
TORONTO.

FOURTH ANNUAL REPORT

OF

The Ontario Railway and Municipal Board.

TO DECEMBER 31st, 1909.

To His Honour J. M. Gibson, K.C.,
Lieutenant-Governor of the Province of Ontario in Council.

In pursuance of section 56 of the Ontario Railway and Municipal Board Act, 1906, the Ontario Railway and Municipal Board beg leave respectfully to submit their fourth annual report.

Applications to the Board.

There were 261 applications or complaints made to the Board in 1909; of these 183 were in the form prescribed by the Board and 78 were informal. Of the formal applications 171 have been heard and 12 are still pending. The informal applications were dealt with by the Board without the necessity of a hearing. Some were settled by correspondence; others failed through want of merit, and in about 20 cases the parties were referred to the Dominion Board of Railway Commissioners, this Board after investigation having determined it had no jurisdiction. The cases that were pending and untried by the Board at the date of the last report have since been disposed of. The cases now pending will be disposed of by the Board as soon as the parties apply to the Board to fix the time, place and manner of trial.

The amount of revenue collected by the Board in stamps for the year 1906 was $134.50; for 1907, $703.00; for 1908, $1,640.50; for 1909, $2,484.00.

Reports to the House.

In pursuance of Rule 61a of the House, the Board made enquiry and reported on nine financial bills that were introduced at the last session of the Legislature. Before reporting to the House on these bills, it was found necessary to carefully examine the financial standing of the Municipalities concerned. The result of the Board's investigation was, that in several instances the Board recommended changes in the form of the bill, and in one case reported that the bill should not be passed. It was accordingly dropped.

Annexations of Territory.

There were 13 applications for the annexation of additional territory to cities and towns made to the Board in 1909. The orders made in connection with these matters appear in the appendix.

Several applications to the Board failed, in the first instance, for the reason that the petitions were not signed by a majority of the ratepayers in the area to be annexed. In nearly every case the application was renewed with a sufficiently signed petition and was successful. As the petition of the majority of the ratepayers is the foundation of the Board's jurisdiction, great care is necessary to see that there is no doubt about such majority. In nearly every case a scrutiny was necessary. "Ratepayer" has not been defined in the interpretation clauses of the Municipal Act, and to make section 1, cap. 34, 1906, as amended by section 1, cap. 48, 1908, workable, the Board ruled as follows: "The only workable scheme is to take the last revised assessment roll. The owners whom we find entered on it will be presumed to be ratepayers. They are the tax payers. If any tenant is found on the roll, he must be presumed not to be a ratepayer, but it will be open to the opposite party to prove that such tenant is bound to pay the taxes and is therefore a ratepayer."

It is not, however, what the Board rules that fixes our jurisdiction. If a petition is not signed by a majority of the ratepayers as required by the Act, any ratepayer in the area to be annexed might refuse to pay his taxes, allow his property to be seized, and in a replevin action test the sufficiency of the petition. The Board suggest that it is desirable that the Legislature should define a ratepayer as an owner or tenant whose name has been entered on the last revised assessment roll.

Municipal Securities Act.

There have been 76 applications to the Board under the Ontario Municipal Securities Act, 1908, for the validation of by-laws and debentures. Of these Applications 24 were to cure irregularities, which, were it not for the jurisdiction conferred on the Board, could only have been validated by an Act of the Legislature. The issues of debentures validated by the Board during the year 1909 amount to $1,326,217.65.

Assessment Appeals.

The Board have tried 6 appeals from the Courts of Revision of the Province during 1909.

Appeals to the Court of Appeal.

Notice of Appeal to the Court of Appeal has been given against 13 of the opinions of the Board. In the cases in which judgment has been rendered by the Court of Appeal up to the present time, the Board's opinion has not been reversed.

Standardization of Height of Car Steps.

In September, 1908, an application was made to the Board by Dr. Helen MacMurchy against the Toronto Railway Company, and all other street and electric railways in the Province under the Board's jurisdiction, under section 19 of the Ontario Railway and Municipal Board Act, 1906, as amended by Statutes of Ontario, 1908, 8 Edw. VII., cap. 46, section 1, complaining that the Toronto Railway Company and other companies in the towns and cities of Ontario, were operating cars the steps of which were so high from the ground that they were not only exceedingly uncomfortable and inconvenient to the public, but a menace to safety.

After hearing the evidence, the opinion of the Board's Engineer, and what was alleged by Counsel, the Board made the following regulation:

On closed single truck cars the height of the first step above the ground shall be not less than twelve nor more than fifteen inches;

On closed double truck cars the height of the first step above the ground shall be not less than fourteen nor more than sixteen inches;

On open single truck cars the height of the first step above the ground shall be not less than twelve nor more than fifteen inches, and the distance between the first and second steps and the second step and the floor of the car shall measure twelve and nine inches respectively;

On open double truck cars the height of the first step above the ground shall be not less than fourteen nor more than sixteen inches, and the distance between the first and second steps and the second step and the floor of the car shall measure twelve inches and fourteen inches respectively.

The opinion of the Board appears in the appendix.

The height of steps was up before the Convention of the Street and Interurban Railway Association of America, held at Denver in October last. The Board, being interested in this and other railway matters, attended this Convention. No change was made by the Committee on Standardization in their former decision that the height of car steps on street cars should be standardized as follows: Height of first step from top of rail not to exceed seventeen inches; the second step from top of rail thirty-one inches; height of rise from top of vestibule floor to floor of car ten inches.

When returning from the Convention at Denver, the Board took occasion to examine and familiarize themselves somewhat with the street railway services in Chicago, St. Louis, Kansas City, Davenport, Rock Island and Moline.

RAILWAY CONDITIONS IN TORONTO.

No change has taken place in street railway conditions in Toronto. The City appealed to the Court of Appeal from the opinion of the Board in the application to determine who had the right to select the streets upon which the 15 miles of double track ordered to be built by the Board, the City or the Company. The Court of Appeal confirmed the opinion of the Board, that the Company and not the City had the right to select the streets for the new lines. The City is appealing from the judgment of the Court of Appeal to His Majesty in His Privy Council. The Board's opinion appears in last year's report.

The Toronto Railway Company report that they have completed the Roncesvalles Avenue track between Queen and Dundas Streets, and have expended in track improvements, overhead structure, rolling stock, buildings, machinery, and other improvements, upwards of $165,000.00.

RAILWAYS OUTSIDE OF TORONTO.

DUNNVILLE, WELLANDPORT AND BEAMSVILLE RAILWAY.

The Board certified and approved the plan, profile, and Book of Reference of this Railway from Mile 8.14 to Mile 16.76.

ONTARIO WEST SHORE ELECTRIC RAILWAY.

The plan, profile and Book of Reference of this Railway in the Townships of Colborne, Ashfield and Huron, and in the Town Plot of Annan, and in the

Village of Port Albert, have been certified and approved by the Board. A large portion of this road has been graded and is ready for the rails.

CORNWALL STREET RAILWAY, LIGHT AND POWER COMPANY.

This Company reports that the only improvements or extensions made in connection with the railway are the extension to the car shed, $360.00, and the siding to the St. Lawrence Brewery, $359.00.

THE BERLIN STREET RAILWAY.

The Berlin Light Commissioners report that they spent in the last year $1,692.66 on track repairs, and $5,282.48 on improvements to overhead work, rolling stock and machinery.

THE SOUTH-WESTERN TRACTION COMPANY.

No track extension has been made during the last year, but the Company has erected a car shed at London, costing approximately $2,000, and has spent upwards of $10,000 on track improvements, overhead structure, rolling stock and machinery.

THE LONDON STREET RAILWAY COMPANY.

This Company reports that besides replacing a lot of worn-out trolley wire, several thousand ties, and repairing their track and special work generally throughout the city, they have spent on capital account for new paving on track allowance, $5,741.36.

GALT, PRESTON AND HESPELER STREET RAILWAY COMPANY.

This Company reports that outside of general maintenance no extensions or improvements have been made by them during the last year.

SANDWICH, WINDSOR AND AMHERSTBURG RAILWAY.

This Company reports an expenditure of $23,644.34 during the past year, as follows: Track extensions $1,365.88; overhead lines $126.23; power house machinery $15,106.26; rolling stock $2,242.48; right of way $8,000; light plant $4,003.49.

SARNIA STREET RAILWAY COMPANY.

This Company reports that they have spent during the last year, $9,729.83 on double track on Front Street, besides $610.22 expended on overhead structure.

PORT ARTHUR AND FORT WILLIAM ELECTRIC RAILWAY.

The following expenditures are reported to have been made in connection with this Railway up to the 30th November, 1909:

The City of Port Arthur.

Double tracking	$31,838 00
Line construction	238 00
Arthur Street extension	9,862 00
Mariday extension	701 00
Cars	12,204 00
New car barns	10,342 00
	$65,185 00

The City of Fort William.

Girder Grooved Rail 85 lbs. yard 5,092 ft. single track, part paved, part stone filled	$32,011 24
"T" Rail 80 lb. per yard 7,430 ft. single track, stone filled	18,900 05
"T" Rail 60 lb. per yard 9,420 ft. single track	26,528 04
21,962 feet overhead construction	7,673 58
Car barn construction	14,652 27
Purchase of two street cars	12,191 74
	$111,956 92

The International Transit Company.

This Company reports the following expenditures up to 30th November, 1909:

Track extensions	$1,895 00
Improvements to cars	1,128 00
Shelter Station	450 00
Trestle approach to ferry dock	670 00
Alterations to office building	50 00
Repairs to ferry steamer	171 34

In addition to these improvements the track, overhead structure, rolling stock, buildings and ferry property have been maintained in good condition.

GUELPH RADIAL RAILWAY COMPANY.

On the application of H. W. Peterson, Esq., County Crown Attorney, the Board made an Order for the construction of a new four-span steel bridge over the Speed River on the Dundas Road, to be built upon good and substantial stone or cement piers, all to be approved by the Board. A plan of the bridge and the stress sheets were submitted to the Board. Upon examination, the Board ordered the plan to be amended so as to secure heavier steel than the original plan provided for. The bridge, as finally designed and approved by the Board, will be sufficient for the heaviest possible load.

The Board further ordered that the Guelph Radial Railway Company should push all coal or other heavily laden freight cars up the Dundas Hill grade. This was done to prevent accidents caused by heavy cars breaking away from the motor.

Several of the above-mentioned roads were inspected by members of the Board during the last year.

PUBLIC UTILITIES.

The Municipal Corporations operating Waterworks Plants, Electric Light Plants, Gas Plants and Telephone Plants, have been asked during the year to furnish statements, showing the results of the working of the utilities operated by them respectively, and in most instances the forms of report prescribed by the Board have been completed and filed with the Board. With some municipalities, however, the Board have found difficulty in obtaining adequate information relating to plants operated by them. Some municipalities appear apathetic and indifferent in accommodating their methods of bookkeeping to meet the requirements of the Board. Other municipalities do not think it necessary to furnish any information whatever to the Board.

It is thus apparent that the Board cannot be in a position to properly superintend the system of bookkeeping and keeping accounts of all the public utilities that are being operated by municipal corporations, as contemplated by section 57 of the Ontario Railway and Municipal Board Act, unless some pressure can be brought to bear upon the municipalities in default to ensure the compliance, by all such municipalities, with the provisions of the Statute. In some cases, where municipalities in default have made application to this Board to approve of debentures issued to meet the cost of additional outlays for the extension of public utility plants, the Board have found it necessary (in order to have full information on the questions before it) to defer certifying the debentures until the municipalities in default have supplied the information required by the Board.

The Board therefore renew the recommendation already made, that in order to obtain the proper data and statistics, necessary to intelligent analysis and study of the workings of public utilities, that they be empowered in cases where municipalities refuse to furnish the information required by the Board, to appoint chartered accountants or other competent persons at the expense of such municipalities in default, to obtain the information required, so that the Board may be in a position to effectually carry out the provisions of section 57 above quoted.

The returns from municipalities have been tabulated in the appendix.

RAILWAY RETURNS.

Returns have been made by the different railways under the Board's jurisdiction on the forms transmitted to them by the Board. A tabulated statement of such returns appears in the appendix.

ACCIDENTS.

During the year all the railways under the jurisdiction of the Board made reports of accidents in the form required by the Board. A tabulated statement of accidents appears in the appendix, which shows that 16 persons were killed and 349 injured. Last year there were 26 persons killed and 391 injured.

SITTINGS OF THE BOARD.

A record of the sittings of the Board and an abstract of the proceedings, together with the reasons for the opinions of the Board, and the formal judgments, appears in the appendix.

The Board found it necessary when in the City to hold daily sittings for the despatch of business. In addition to these, sittings were held in Thessalon, Bruce Mines, Orillia, Haileybury, Berlin, Waterloo and Midland.

STANDARD SPECIFICATIONS.

The Board have prepared standard specifications for bridges, viaducts, trestles, and other structures, for the guidance of companies and municipal corporations, and their engineers and contractors. The specifications appear in the appendix.

COMPENDIUM OF ACTS.

After the Revised Statutes have been enacted by the Legislature, the Board purpose to print in a separate volume the Railway Act, the Board Act, the portions of the different Acts under which the Board exercises jurisdiction, together with the Rules, Regulations, Standard Specifications, and forms adopted by the Board. The Board consider this necessary, from the fact that a great many applications are made by municipal officers without the intervention of solicitors.

(Signed) JAMES LEITCH,
Chairman.
(Signed) A. B. INGRAM,
Vice-Chairman.
(Signed) H. N. KITTSON,
Member.

APPENDIX.

RECORD OF MEETINGS AND ABSTRACT OF PROCEEDINGS OF BOARD DURING YEAR 1909.

PROCEDURE FILE No. 57.

In the matter of The Toronto Railway Company. Steps of cars.

April 19. Hearing continued 11 a.m. to 1 p.m., pursuant to arrangement with Counsel, adjourned to 26th May at 2 p.m., pending experimental tests of car now about completed by Toronto Railway Company.

May 26. Hearing continued and concluded. Judgment reserved.

June 2. Judgment delivered fixing height of car steps.

June 25. Formal order settled and issued. Chairman directs that no stamps be charged on the order.

June 25. Board passes and promulgates general regulation governing height of car steps on electric railways which are subject to the jurisdiction of the Board.

Upon the application of the above named Applicant, upon hearing the evidence adduced and what was alleged by Counsel for the Applicant and for the Toronto Railway Company;

The Board orders that the steps on all cars hereafter constructed and used by the Toronto Railway Company and all other Street Electric Railways under the jurisdiction of this Board shall have steps conforming to the following regulations:

On closed single truck cars the height of the first step above the ground shall not be less than twelve nor more than fifteen inches;

On closed double truck cars the height of the first step above the ground shall be not less than fourteen nor more than sixteen inches;

On open single truck cars the height of the first step above the ground shall be not less than twelve nor more than fifteen inches, and the distance between the first and second steps and the second step and the floor of the car shall measure twelve inches and nine inches respectively;

On open double truck cars the height of the first step above the ground shall be not less than fourteen nor more than sixteen inches, and the distance between the first and second steps and the second step and the floor of the car shall measure twelve inches and fourteen inches respectively.

(Signed) JAMES LEITCH,

Chairman of the Ontario Railway
and Municipal Board.

This is an application filed by Dr. Helen MacMurchy on the 10th of last September with the Board for the purpose of having a regulation or order made fixing the height of the first step on street and electric railway cars at from 9 to 12 inches from the ground, and the other steps with a rise of from 7 to 9 inches, one above the other. The application was served on all street and electric railways under the Board's jurisdiction and upon the clerks of the different municipalities in which such railways are operated. The only municipalities that took an active interest in the matter were the City of Toronto and the then City of West Toronto.

Mr. A. Ormsby Graydon, City Engineer for the City of London, Ont., wrote a letter to the Board in which he expressed the opinion that a 12-inch step should be the maximum height for street cars and that anything over that should be prohibited by law. An order was made by the Board of Control of the City of Toronto, on the 21st of September, instructing the City Solicitor to represent Dr. MacMurchy on this application, and from that time on the controversy was between the City of Toronto and the Toronto Railway Company, and was confined to the Company's cars and operating conditions in Toronto.

Dr. MacMurchy called the most eminent medical gentlemen in the City to testify, who gave it as their opinion that the height of the first step from the ground should be as near 12 inches as possible. This was only one aspect of the case. The Board could not overlook the difficulties and possibilities connected with operation. It appeared from the evidence that there was little difficulty, if any, in reference to the steps on the Toronto Company's single truck cars. It was the double truck open cars that were complained of. It appearing to the Board that the difficulty and expense of lowering the bodies of open double truck cars so as to permit of lowering the steps was insuperable, they suggested that the application should be adjourned and that the Toronto Railway Company should equip a double truck open car with three steps instead of two, in order to test the feasibility of having the first step not higher than 12 inches from the ground.

The matter was consequently adjourned for several weeks, and the Toronto Railway Company did equip a double truck open car with three steps instead of two. In actual operation the Board found that, while the three steps would be very convenient and comfortable, they extended out so far into the street as to render them very dangerous to pedestrians and vehicles, and the adoption of such car steps would involve a reconstruction of the car barns, repair pits, etc. It was clear to the Board that the difficulty could not be solved in this way.

The Board then instructed their Engineer, Mr. J. F. H. Wyse, to ascertain if the longitudinal seats in the Toronto cars could be taken out and replaced by lateral seats with an aisle down the centre of the car, for the reason if this was feasible the difficulty in reference to the height of the steps would be solved.

By reason of the narrow devil strip in the City of Toronto, Mr. Wyse found it impossible to operate a car with a wider inside breadth than 80 inches. Under these conditions it would only be possible to have lateral seats 32 inches wide with an aisle of 16 inches. Every expert car operator or builder consulted by the Board and Mr. Wyse, was of the opinion that seats 32 inches wide with an aisle of 16 inches would be impracticable, and the scheme of changing the seating had to be abandoned.

The Toronto Railway Company built another car as an experiment to assist the Board in coming to a conclusion. Mr. Power, the Company's Master Car Builder, built this car so that the body came to within 38 inches from the ground.

The Board are of opinion that this was so close down, that there was no margin of safety left for the operation of the brake rods or the compressed air pipes.

The Board have come to the conclusion that to be safe the floor of the car should be not less than 40 inches above rail level. From the evidence adduced the Board are of opinion, as to all cars hereafter built and put in operation, they would be safe in standardizing the steps of open double truck cars at from 14 to 16 inches for the first step, and 14 and 12 inches for the two upper steps. On open single truck cars from 12 to 15 inches for the first step, and 12 and 9 inches for the two upper steps would be reasonable. On closed double truck cars the first step should be from 14 to 16 inches from the ground, and on closed single truck cars from 12 to 15 inches.

A Regulation will be promulgated by the Board to the above effect. As the conditions of operation in Toronto are more difficult than in any other city or town in Ontario, the regulation will apply to all street and electric railways under the Board's jurisdiction.

The Board makes no order as to costs.

Dated at Toronto this second day of June, 1909.

(Signed) JAMES LEITCH,

Chairman of the Ontario Railway
and Municipal Board.

REGULATION AS TO HEIGHT OF CAR STEPS.

Under and in pursuance of a certain Order of the Board bearing date the 2nd day of June, A.D. 1909, and made in an Application between Helen MacMurchy, Applicant, and the Toronto Railway Company and all other street and electric railways under jurisdiction of this Board, Respondents, the Ontario Railway and Municipal Board has made and now promulgates the following regulations to take effect forthwith:

The steps on all cars hereafter constructed and used by the Toronto Railway Company and all other street and electric railways under the jurisdiction of this Board shall have steps conforming to the following regulations:

On closed single truck cars the height of the first step above the ground shall not be less than twelve nor more than fifteen inches;

On closed double truck cars the height of the first step above the ground shall be not less than fourteen nor more than sixteen inches;

On open single truck cars the height of the first step above the ground shall be not less than twelve nor more than fifteen inches, and the distance between the first and second steps and the second step and the floor of the car shall measure twelve inches and nine inches respectively;

On open double truck cars the height of the first step above the ground shall be not less than fourteen nor more than sixteen inches, and the distance between the first and second steps and the second step and the floor of the car shall measure twelve inches and fourteen inches respectively.

Dated at Toronto this 25th day of June, A.D. 1909.

(Signed) JAMES LEITCH,
Chairman.
(Signed) A. B. INGRAM,
Vice-Chairman.
(Signed) H. N. KITTSON,
Member.

PROCEDURE FILE No. 58.

Re Annexation of Brooke to Owen Sound.

Feb. 4. Plan of amended (as reduced) area and affidavit of O. L. Surveyor filed, also consent of Solicitor for Township of Sarawak, and Order made for Annexation.

Nov. 10. 4.15 p.m. Notice of Motion to H. C. J. by way of 'certiorari' to quash Board's order for annexation herein, received.

The H. C. J. refused to allow the above motion for certiorari.

ORDER.

In the matter of the application of W. S. Johnston and other ratepayers of the Townplot of Brooke for an order to have that portion of the Townplot of Brooke East of Albert Street and Albert Street produced annexed to the Town of Owen Sound.

Upon the application of the said applicants made on the 18th day of November, A.D. 1908, and upon reading the Resolution of the Council of the Township of Sarawak passed on the 31st day of October, 1908, and the Resolution passed by the Council of the Corporation of the Town of Owen Sound on the 10th day of August, 1908, and the Petition of the said applicants, and upon hearing what was alleged by Counsel on behalf of the said applicants, the Corporation of the Town of Owen Sound, the Corporation of the Township of Sarawak, and of certain ratepayers in the Township of Sarawak opposing said annexation and upon the members of the Board taking a view of that portion of the Townplot of Brooke sought to be added, and upon its being represented to the Board that the then acreage of the Town of Owen Sound was such that the said lands could not be annexed without contravening the Provisions of 3 Edward VII., Chapter 19, Section 12, but that an application was about to be presented to the Council of the Corporation of the County of Grey to reduce the acreage of the said Town of Owen Sound, further action was deferred until to-day and it now appearing by the affidavit of Robert McDowall, Ontario Land Surveyor, that certain lands have since been detached from the Town of Owen Sound and therefore that the said portion of the Townplot of Brooke lying east of Albert Street and Albert Street produced may be added to the Town of Owen Sound without contravening the said clause of the said Statute.

The Board orders and proclaims that the lands and premises in the said Townplot of Brooke lying east of the centre line of Albert Street and Albert Street produced are hereby annexed to the said Town of Owen Sound and the northerly and westerly boundaries of which said lands so annexed are more particularly shown in the plan prepared by R. McDowall, Esq., C.E., Ontario Land Surveyor, and which said lands are included by metes and bounds in the following description of the limits of the Town of Owen Sound as the said Town shall be constituted immediately this Order comes into force and effect, that is to say,—Commencing at the south-westerly angle of Lot One in the Second Range west of the river in said town; thence south eighty-two degrees, forty-five minutes west fifty links to the centre of the road allowance between the said town and the Township of Derby; thence north seven degrees fifteen minutes west, along said centre line one hundred and forty-six chains more or less to the southerly limit of Ann Street, being the southerly limit of the road allowance between the said Town and Townplot; thence north seventy-six degrees east along said limit ten chains more or less to the centre line of the Pottawatami River; thence easterly along said centre line of the said river twenty chains more or less to the centre line of Albert Street produced; thence north thirteen degrees east along said centre line one hundred and fourteen chains more or less to the centre line of Caughnawaga Street; thence south seventy-seven degrees east along said centre line thirty chains fifty links more or less to the high water line of Owen Sound Harbour; thence along said high water line southerly, easterly and northerly three hundred and thirty-five chains more or less to the centre line of the road allowance between Lots "C" and twenty-nine Bay Shore Range; thence south seventy-three degrees east along said centre line three chains eighty links more or less to the centre line of Rear Street; thence south seventeen degrees west along said centre line fifty-seven chains seventy links more or less to its intersection with the easterly limit of Lot Seven, Range Ten, East Garafraxa Street produced; thence south seven degrees fifteen minutes east along said easterly limit of Lot Seven, Ranges Ten and Nine, sixty-two chains fifty links more or less to the limit between Ranges Nine and Eight east of the Garafraxa Road; thence south eighty-two degrees forty-five minutes west along said limit twenty chains more or less to the easterly limit of Lot Five, Range Eight, east of the Garafraxa Road; thence south seven degrees fifteen minutes east along said limit of Lot Five, Ranges Eight and Seven east of the Garafraxa Road forty-four chains twenty-five links more or less to the limit between the Ranges Seven and Six east of the Garafraxa Road; thence south eighty-two degrees forty-five minutes west along said limit twenty chains more or less to the easterly limit of Lot Three, Range Six, east of the Garafraxa road; thence south seven degrees fifteen minutes east along said easterly limit of Lot Three, Ranges Six and Five, east of the Garafraxa Road forty chains eleven links more or less to the limit between Ranges Five and Four, east of the Garafraxa Road; thence south eighty-two degrees forty-five minutes west along said limit ten chains more or less to the easterly limit of Lot Two Range Four· east of the Garafraxa Road; thence south seven degrees fifteen minutes east along said limit of Lot Two Ranges Four, Three and Two, east of the Garafraxa Road sixty-two chains seventy-one links more or less to the centre line of Superior Street; thence south eighty two degrees forty-five minutes west along said centre line twenty chains and fifty links more or less to the centre line of Garafraxa Street; thence south seven degrees fifteen minutes east along said centre line forty chains fifty links more or less to the limit between the Town of Owen Sound and the Township of Derby; thence south eighty-two degrees forty-five minutes west along said limit one hundred and thirty-three chains more or less to the place of beginning; the said annexation shall take effect forthwith from the passing of this order upon and subject to the following terms and conditions, namely:

1. The Town of Owen Sound shall assume the liabilities and take over the assets of the territory to be annexed, the proportion of said assets and liabilities to be determined by the assessment for the year 1908 of the territory to be annexed as compared with the assessment of the whole Township of Sarawak.

2. The Town to extend its waterworks system and its electric light system to territory to be annexed. A sufficient water main shall be laid on Market Street from the Pottawatami Bridge to Raglan Street and along Raglan Street to Jex Street not later than the first day of September, 1909. Subsidiary services shall be given under the general by-laws of the Town and as expeditiously as possible.

3. The rates for all public utilities shall be the same in the territory annexed as in other parts of the town.

4. The Town shall forthwith erect and properly equip and keep equipped a hose-reel station at a suitable point to serve the annexed territory; the Town to instal a proper system of fire alarms similar to that now in existence in the Town; also a sufficient number of hydrants for efficient fire protection purposes shall be established in the annexed territory, and which fire protection system shall be as efficient from time to time as that in other portions of the Town.

5. That the rate of taxation in the annexed territory for the year 1909, 1910 and 1911 shall be five mills less than in the remaining part of the Town..

6. A system of sewers shall be constructed in the annexed territory as soon as possible and upon the due request therefor made under the provisions of the Consolidated Municipal Act, 1903.

7. The gas system at present existing in the Town of Owen Sound shall be extended to the annexed territory upon terms that may be agreed upon and in case of failure to agree the Board shall determine the terms.

8. That the taxes and rate imposed for the year 1908 or any previous year upon any of the lands included in the teritory hereby annexed shall, if not collected, be collected by the Township of Sarawak and all right to collect the same, including distress for non-payment, or if necessary the sale of the said lands or any of them, shall remain in the said Township as though this order had not been made, and all adjustments between the Town of Owen Sound and the Township of Sarawak shall be made as of the first day of January, 1909, including a proper adjustment of the taxes collected for 1908, having regard to the fact that to a certain extent the taxes in Sarawak Township were collected in 1908 for the purposes and requirements of the year 1909 and therefore that the Town of Owen Sound should receive its fair share of such taxes as were so collected in advance and were on hand at the end of the year 1908; but all taxes and rates imposed for the year 1909 upon any of the lands included in the said annexed territory shall be collected by and belong to the Town of Owen Sound as fully and effectually as if this Order had taken effect upon the 31st day of December, 1908.

(Signed) JAMES LEITCH,

Chairman Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 69.

Re application by Grand Trunk Pacific Railway for Ontario subsidy for its Lake Superior Branch (200 miles north-westerly from Fort William) under Section 2, Chap. 18, Statutes of Ontario, 1904.

Jan. 5. Hearing of Grand Trunk Pacific Co.'s application for order for granting subsidy in respect of the 122 miles constructed. Board, after hearing evidence and examining plans and profiles filed, grants application.

ORDER.

In the matter of the application of the Grand Trunk Pacific Railway Company, under the Statutes of Ontario, 1904, 4 Edw. VII., Chapter 18, for the payment of the subsidy under the said Act on 122 miles of their line of railway from a point at the junction of the said railway with the Canadian Pacific Railway and the Canadian Northern Railway at Westfort, thence westerly 122 miles towards the intersection of the said railway with the main line of the eastern division of the Grand Trunk Pacific Railway, as shown on the plans and profiles on file with the Board.

Upon the application of the Grand Trunk Pacific Railway Company for the payment of the subsidy payable under the Statutes of Ontario, 1904, 4 Edw. VII., Chapter 18, on 122 miles of their said railway from the intersection with the Canadian Pacific Railway and the Canadian Northern Railway at Westfort, thence westerly towards the intersection of the said railway with the main line of the eastern division of the Grand Trunk Pacific Railway, upon examination of the plans and profiles of the completed railway filed with the Board, and upon hearing the *viva voce* evidence of Henry A. Wood, Esq., C.E., Assistant Chief Engineer of the said Company, and upon reading the report of John H. Davey, Esq., C.E., appointed by the Board, upon the revised location of the Company's said line of Railway approving of the same and the report of R. P. Fairbairn, Esq., Engineer of the Public Works Department, and upon reading the former Order of this Board, bearing date the 23rd day of February, A.D. 1907, and upon hearing what was alleged by Counsel for the said Company,

The Board hereby certifies and declares that the terminals of the Company's Railway are located at a point on Thunder Bay on the north shore of Lake Superior on the south side of the Kaministiquia and Mission Rivers, and it is hereby ordered that the location of the line from the said point on Thunder Bay to the intersection of the said line of the eastern division of the Grand Trunk Pacific Railway, as finally located, and the Bridge, which has been built over the Kaministiquia River, be and the same is hereby approved by this Board.

And this Board further certifies that the Grand Trunk Pacific Railway Company have furnished such information as to location and plans of passenger and freight stations on the line of its Railway from its terminal to a point 122 miles west of the intersection of the said Railway with the Canadian Pacific and Canadian Northern Railways at Westfort, as required by this Board, and have complied with the directions of this Board for the erection of such stations, the number of the same and the intervals at which stoppages shall be made at such stations for the accommodation of the public.

And this Board hereby further certifies that the Grand Trunk Pacific Railway Company have filed with the Honourable, the Treasurer of the Province of Ontario, representing His Majesty the King, an agreement called for and required by Sections 3, 20, 21 and 22 of the said Act of 1904, 4 Edw. VII., Chapter 18.

And this Board further certifies that the said Company have equipped and are operating its said line of Railway with railway supplies and rolling stock of Canadian manufacture.

And this Board further certifies that the said Company are entitled to be paid the subsidy provided by the said Act upon the aforesaid 122 miles of this said line of Railway.

And the Board orders that the Company shall pay $10.00 for stamps on this Order.

(L.S.) (Sgd.) James Leitch,
Chairman, Ontario Railway and Municipal Board.

Procedure File No. 115.

Between the Corporation of the Town of Waterloo, Applicant, and the Corporation of the Town of Berlin, Respondent.

September 25. On application of applicants Board appoints Tuesday, 9th November, 1909, at 11.30 a.m., at Council Chamber, Waterloo, for hearing herein.

November 9. Hearing pursuant to appointment, 11.30 a.m. to 12.30 p.m.; 2.30 p.m. to 4 p.m. View by Board of Railway and line. Hearing concluded and adjourned to Tuesday, January 18, 1910, at 10 a.m., at Court House, Berlin, to fix Waterloo's share of net profits if any. Plan of Railway filed. (See P.F.P. 42).

Procedure File No. 173.

Re Deviation of County Boundary line between Counties of Grey and Bruce, Townships of Normanby and Bentinck in Grey, and Townships of Carrick and Brant in Bruce.

January 23. Surveyor's description and plan of deviation filed.

January 25. Surveyor's description and plan of deviation considered.

January 25. Order made declaring road shown on plan and described in surveyor's description filed to be a necessary deviation of the county line, and fixing the location thereof accordingly.

This application coming for hearing before the Board on Tuesday, the fifteenth day of December, 1908, pursuant to appointment, in the presence of Counsel for all parties, and the road in question claimed to be a deviation of the County boundary line between the Counties of Grey and Bruce having been viewed by a quorum of this Board, and upon consideration of the evidence adduced by the parties, and the exhibits filed, and upon hearing what was alleged by Counsel aforesaid, and judgment having been reserved until this day,

The Board under and in pursuance of 7 Edward VII (Ontario) Chapter 40, Section 26, orders and declares that the road projected and shown on the plan hereto annexed and described in the surveyor's description thereof, made by Isaac Traynor, Dominion and Ontario Land Surveyor, dated Dundalk, January, 1909, a copy of which description is also hereto annexed, is a deviation of the County boundary line between the Counties of Grey and Bruce, and that such deviation is a necessary deviation of the road from the County boundary line, and the Board fixes the location of the said deviated road as set forth in the said plan and description hereto annexed.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

Description of the centre line of a deviation road through part of the Townships of Normanby and Bentinck in lieu of part of the original township boundary road allowance, and which is more particularly described as follows, that is to say:—

Commencing at the south-westerly angle of lot number one, in the thirteenth Concession of the Township of Normanby, thence north 81° 18′ east along the limit between Lot one in the thirteenth concession and Lot one in the twelfth concession of the said Township of Normanby, twenty chains and thirty-eight links more or less to the limit between lots one and two, in the said thirteenth concession of Normanby, thence north 7 degrees 38 minutes west, six chains and eighty links, thence north 6° 18′ west, six chains and forty-two links, thence north 3° 7′ east across part of lot number two, concession thirteen of said township of Normanby; six chains and thirty-seven links, thence north 12° 39′ east, in the said lot nine chains and eighty-six links; thence north 37° 14′ east in said lot; eleven chains and thirty-two links, thence north 7° 38′ west in said lot, thirteen chains and ninety-five links, more or less to the centre of the road allowance between concessions thirteen and fourteen in said township of Normanby, thence north 81° 18′ east along the centre line of said concession, six chains and twenty-eight links more or less, to the limit between lots two and three concession fourteen of said township of Normanby, thence north 8° 42′ west along the said limit between lots two and three, concessions fourteen, fifteen, sixteen and seventeen of the said township of Normanby, two hundred and two chains and sixty-eight links, more or less, to the centre of the road allowance between concessions seventeen and eighteen in said township of Normanby, thence south 81° 18′ west nineteen chains and ninety-five links more or less to the limit between lots one and two, concession eighteen of said township of Normanby, thence north 8° 42′ west along said limit eleven chains and twenty-five links, thence north 34° 57′ west, in lot one, concession eighteen of said township of Normanby, five chains and fifty-three links, thence north 23° 39′ west, in said lot, six chains and sixty-nine links, thence north 3° 47′ east, in said lot, two chains and seventy-six links, thence north 18° 41′ east, in said lot, four chains and sixty-two links, thence north 3° 56′ east, in said lot, six chains and twenty links, more or less to the limit between said lots one and two, concession eighteen of said Township of Normanby, thence north 8° 18′ west along said limit, twenty-seven chains and eighty links more or less to the centre of the town line between the said township of Normanby and the township of Bentinck, thence north 11° 32′ west, along the limit between lots numbers two and three, in the third and second concessions south of the Durham Road in the said township of Bentinck, one hundred and two chains and eighteen links, more or less, to within fifty links of the limit between concessions one and two south of the Durham Road in the said township of Bentinck, thence south 77° 30′ west, parallel with the said limit between said concessions one and two, twenty chains more or less to the road allowance between the township of Bentinck, in the County of Grey, and the township of Brant, in the County of Bruce.

(Signed) ISAAC TRAYNOR,
Dom. and Ont. Land Surveyor.

Dundalk, January, 1909.

NOTE.—The measurements given on plan do not include the road allowances as laid out in the original survey and the measurements given in specifications includes them.

(Signed) I. T.

PROCEDURE FILE NO. 313.

Between The Toronto Railway Company, Applicants, and The City of Toronto, Respondents. (New Lines Case).

January 5. Notice received of application to Court of Appeal for leave to appeal from Board's Order herein.

This appeal was dismissed.

PROCEDURE FILE NO. 328.

Between the Town of North Toronto, Applicants, and the Toronto & York Radial Railway Company, Respondents.

January 5. On application of applicants, Tuesday, January 26th, at 2.30 p.m. at Board's Chambers, appointed for hearing.

January 26. Hearing, arguments heard and judgment reserved.

February 1. Judgment and opinion of Board handed down.

February 8. 2.30 p.m., appointment to settle formal Order, adjourned by consent for one week.

February 15. 2.30 p.m., formal order settled in presence of Counsel for both parties. Formal Order completed.

April 12. Notice of motion for leave to appeal to Court of Appeal filed by Respondents.

When this application came before the Board on the 23rd of November last, Counsel for both parties consented to an inspection and report by J. F. H. Wyse, C.E., the Board's Engineer. Mr. Wyse in the course of his inspection conferred with both the Company's and the Applicants' Engineer, and has made his report. The Board heard argument on the 26th ult. upon the Engineer's report, and the only question now is as to whether or not the Board have power under the contract or the Railway Act to make an Order carrying out the recommendations of the Engineer contained in his report.

The chief objection made by the Company is in reference to the drains across their tracks and the macadamizing between the rails and eighteen inches on the outside. The Board have examined the locus in quo on more than one occasion, and know that the tracks are on a portion of the travelled road.

The Contract between the parties is found in Schedule A to 60 Victoria, 1897, Cap. 92. Section 10 of the Contract is clear that the road within and alongside of the switches and turnouts must be macadamized as the Applicants' Engineer shall direct. Section 13 of the Contract provides that the whole space occupied by the track allowance shall be kept in good order and repair to the satisfaction of the Applicants' Engineer.

The Board are of opinion that the only way to keep the tracks in good order and repair is to put in drains and macadamize as recommended by the Board's Engineer.

The Board, therefore, order that the Engineer's recommendations as to drains across the tracks and macadamizing switches, turnouts and tracks shall be carried out by the Company. This work shall be done within four months from the date of the formal order. The split switches now in use are faulty in construction for an electric railway and must be replaced by tongue switches.

With reference to the Glengrove cars, the Board are of opinion that they are dangerous to the public from want of renewal and repair, and proper brakes, etc., and by reason of the bad and ragged condition of the fenders.

The Board, therefore, order that the recommendation of the Board's Engineer that double truck cars should be substituted for the cars now in use, must be carried out by the Company. The Board think that four new cars will be sufficient for this service, and that the new cars should be put in commission with all reasonable dispatch, and not later than the first of May. The Engineer not having made any recommendation as to removal of snow, the Board reserves that question for further order and direction.

In reference to the discrimination between local and through traffic, the Board think that if the Company's rule as to the right of way on the Glengrove division is observed by the conductors and motormen, it will secure as good a local service as can be given under existing conditions. The Board, however, desire to point out their Engineer's recommendation that the Company's line through North Toronto should be double tracked in the centre of the street. One does not require to be an Engineer to know that it is very difficult to make a service satisfactory where cars have to be sidetracked for other cars to pass. This causes delay and irregularity in the service, which will always be unsatisfactory to the public.

The portion of Yonge Street maintained by the Applicants is in very bad condition; hollow in the centre instead of being crowned; in wet weather muddy, and in dry full of ruts. The Company are prepared to double track. The Town not only should permit them to do so, but should crown up the street and macadamize it from side to side. There is no reason why the people of North Toronto should not have not only a good street railway service, but also a decent street for their vehicular traffic. We strongly recommend the Town authorities and the Company to get together with a view to improving the unsatisfactory conditions that now exist and are sure to continue as long as the cars are operated on a single track.

The Company will have to pay $20.00 for stamps on the formal order, but otherwise the Board makes no order as to costs.

(Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

Upon the application of the above named Applicant, dated the Twenty-sixth day of June, 1908, and upon reading the report and recommendations of Mr. J. F. H. Wyse, the Engineer appointed by the Board for the examination of the complaints herein, and upon hearing what was alleged by Counsel for both parties on the Twenty-third day of November, 1908, and again the 26th day of January, 1909.

1. The Board orders and directs that the Company shall place properly constructed drains of two-inch oak planks with removable tops resting on iron strips

supported on two adjacent ties where found necessary to drain the Company's track, such drains to have iron grated openings at the end towards the centre of the street, and tongue switches shall be substituted for the split switches now used, and that the Company shall also macadamize so as to make a hard and permanent road-bed with surface even with the top of the rails of the said track, the whole of the space occupied by the Company's tracks, rails, switches and turnouts, and for 18 inches outside of the outside rails on each side thereof within the said Town of North Toronto.

2. The Board orders and directs that all the said works and repairs shall be made by the Company with all possible despatch, and that the same shall be completed within four months from the date of this order.

3. The Board further orders and directs that the present cars now used by the Company and known as the Glengrove cars shall be removed from the service, and that four large double truck cars shall be substituted therefor with all reasonable despatch and not later than the first day of May next, and that such new cars shall be equipped with new fenders to be approved of by the Board.

4. As to the removal and levelling of snow the Board reserves further order and directions, and orders that the Company shall pay $20 for stamps on this order, and makes no further order as to costs.

(Signed) James Leitch,
Chairman of the Ontario Railway and Municipal Board.

Procedure File No. 333.

Between the Northern Sulphite Mills of Canada, Limited, and E. R. C. Clarkson, Receiver therefor, Applicants, and the Town of Sturgeon Falls, Respondent.

Feb. 9. Adjourned at request of Respondents, Applicants ready to go on, date for hearing to be arranged.

May 29. At request of Counsel, Thursday, June 3rd, 1909, at 2 p.m., at Board's Chambers fixed for hearing.

June 3. Hearing 2 to 5 p.m., adjourned till 11 p.m., 4th.

June 4. Hearing continued and concluded, judgment reserved.

June 7. Judgment delivered reducing assessment.

June 30. Notice of motion for leave to appeal received.

In this matter, which is an Appeal from the Court of Revision of the Town of Sturgeon Falls, the Board finds on the evidence that the assessment should be reduced as follows:

On the ground wood pulp mill the assessment of $345,470 fixed by the Court of Revision, should be reduced $188,318, leaving the assessment at $157,152.

On the paper mill the assessment of $409,560, fixed by the Court of Revision, should be reduced $192,664, leaving the assessment at $216,896.

The assessment on the Sulphite Mill, fixed by the Court of Revision at $344,670, should be reduced $33,198, leaving the assessment at $311,472.

The assessment on the Cutting-up Mill and Conveyor of $37,376, as fixed by the Court of Revision, the Board does not disturb.

The total assessment therefore will be $722,896.00.

The Board makes no Order as to costs except that the Town of Sturgeon Falls shall pay $10 for stamp on the final Order, and if not paid by the Town, the amount can be paid by the Receiver and deducted from the taxes payable to Sturgeon Falls.

The Clerk of Sturgeon Falls will forthwith alter and amend the roll in accordance with the foregoing judgment.

Dated this 7th day of June, 1909.

(Signed) JAMES LEITCH,

Chairman of the Ontario Railway
and Municipal Board.

PROCEDURE FILE NO. 335.

Between the Imperial Paper Mills of Canada, Ltd., and E. R. C. Clarkson, Receiver therefor, Applicants, and the Town of Sturgeon Falls, Respondents. Assessment Appeal.

Feb. 9. Adjourned at request of Respondents, Applicants ready to go on, date for hearing to be arranged.

May 29. At request of Counsel, Thursday, June 3rd at 2 p.m. at Board's Chambers fixed for hearing.

June 3. Hearing, 2-5 p.m., adjourned till 11 a.m. on 4th.

June 4. Hearing continued and concluded, judgment reserved.

June 7. Judgment delivered reducing assessment.

June 30. Notice of motion for leave to appeal received.

(See Procedure File No. 333.)

PROCEDURE FILE NO. 362.

Between the Town of Sandwich, Applicant, and the Sandwich, Windsor and Amherstburg Ry. Co., Respondent.

Feb. 17. Applicants take out order for production.

Feb. 17. Applicants take out appointment for return of motion to fix hearing, etc.

Feb. 24. Hearing fixed for Tuesday, March 23rd, at 2.30 p.m.

March 22. Hearing adjourned at request of Counsel to April 20, 1909, 2.30 p.m.

April 20. Hearing adjourned at request of Counsel to May 10, 2.30 p.m.

May 10. Argument of Counsel heard, application to be amended within 8 days and reply directed within 8 days of amendment of application. Hearing adjourned to 11 a.m., Tuesday, June 1, 1909, at Board's Chambers.

May 28. At request of Counsel, hearing fixed for 11 a.m., June 10th, 1909, at Board's Chambers.

May 28. Applicants filed amendment to application.

June 10. Hearing continued 11 a.m. to 1 p.m. and 2.30 to 4.45 p.m.

June 25. Judgment delivered as to duration of franchise of Company.

Sept. 8. Draft of formal Order having been approved by Counsel for both parties, formal order issued.

Sept. 7. Notice of motion for leave to appeal served by Respondents.

ORDER FOR PRODUCTION.

Upon the Application of the Applicant, it is ordered that the Respondent do within ten days after the service of this order make discovery on oath of the documents which are or have been in its possession or power relating to any matters in question in this application and do produce to and deposit the same with the Secretary of the Board at Toronto for the usual purposes.

Dated this Seventeenth day of February, A.D. 1909.

(Signed) JAMES LEITCH,

Chairman of the Ontario Railway
and Municipal Board.

This is an application by the Corporation of the Town of Sandwich, complaining that a proper service has not been furnished by the Respondent Railway Company, and asking that an agreement between the Applicant and Respondent be construed and determined.

As the case developed it became apparent to the Board that the crucial question to be determined by the Board was the duration of the franchise, or the right of the Company to operate its railway in the streets of Sandwich. The Board thinks it expedient to determine this question first, before trying the complaint that a proper service was not being provided, as well as the other complaints, which the Board gave the Corporation leave to set up, and of which notice was served upon the Company.

The Corporation alleges that the rights of the Company depend upon an agreement, dated the 27th May, 1891, made between the Corporation and the Company, and that under such agreement the Company has merely a yearly license to occupy the streets, or, in the alternative, that the franchise is controlled by the provisions of the Street Railway Act in force at that time, and extends only twenty or twenty-five years from the date of that agreement.

The Company alleges that there was an agreement anterior to the 27th May, 1891, which gave the Company a perpetual right to operate its railway in the streets of the Town, and that the Company was not limited in its right to occupy the streets to twenty or twenty-five years.

The Company, under the name of "The Sandwich and Windsor Passenger Railway Company," was incorporated in 1872 by an Act of the Legislature of Ontario, 35 Victoria, Chap. 64. By that Act the Company was authorized and empowered to construct a railway from any part of the Town of Sandwich to any part of the Town of Windsor, and to use and occupy such of the streets and highways and properties in any of the said places, that might be required for the purposes of the railway, provided that the streets of the said Towns of Sandwich and Windsor should not be occupied by the Company unless by permission of the municipal Councils of those Towns, expressed by a by-law which shall regulate the same.

There is no doubt that a by-law was passed empowering the Company to occupy the streets of Sandwich, but unfortunately all the papers of the Corporation of Sandwich were destroyed by fire in the year 1878, and neither party has a copy of the by-law. A number of minutes of meetings of the Council of the Town of Sandwich have been filed with the Board, which were found in some out-of-the-way place, neither in the custody of the Corporation of Sandwich nor any of its officials, from which it appears that a by-law was passed on the 22nd of February, 1873, to permit the Sandwich and Windsor Passenger Railway Company to construct and work its railway within the limits of the Corporation of the Town of Sandwich. The Board is of opinion, although the by-law cannot be found, that permission was given by the Corporation to the Company to occupy certain streets of the Town with its railway. There is no evidence that this permission was to extend over any particular period, and the conclusion that the Board has arrived at is, that the Company at that time had a mere license to occupy the streets with its railway. There is nothing in any of the documents filed, even if their admission as evidence had not been objected to, from which the inference can be drawn that the Corporation of Sandwich ever gave the Company a perpetual right to occupy their streets. The Board finds that the Corporation of Sandwich did not grant the Company a perpetual franchise. The evidence, such as it is, is the other way. Besides, the Board is of the opinion that the Corporation had no power to grant a perpetual franchise.

Part of the right of way for the railway the Company acquired by purchase from individual owners in the Town of Sandwich, and part of the Railway was built in the streets.

On the 18th of November, 1874, the Sandwich and Windsor Passenger Railway Company mortgaged the railway, right of way, ties, rails, and all the other properties and appurtenances therewith and thereto belonging, to George Campbell and Robert McGregor. On the same day they gave a Chattel Mortgage to the same parties on the personal property of the Company. These mortgages were assigned by Campbell and McGregor, on the 11th November, 1876, to Frances C. Fulmer, who assigned them, on 15th March, 1877, to Alfred J. Kennedy. Alfred J. Kennedy foreclosed these mortgages in 1879, and thereby acquired all the real and personal property and effects of the Company. In 1887, Kennedy, being desirous of reorganizing and extending the railway to the Town of Amherstburg, procured an Act incorporating the Sandwich, Windsor and Amherstburg Railway, 50 Victoria, Chap. 80. At this time Kennedy was operating the railway under the original Act of Incorporation, 35 Victoria, Chap. 64, as a street railway, and it is a street railway still.

The Act of Incorporation of the Sandwich, Windsor and Amherstburg Railway, 50 Victoria, Chap. 80, contains a provision that the streets of the Towns of Amherstburg, or the highways of any municipality, should not be occupied and used by the Company for such extensions, without the permission of the municipal councils expressed by a by-law regulating the same.

On the 27th February, 1891, the Sandwich, Windsor and Amherstburg Railway Company petitioned the Mayor and Town Council of the Town of Sandwich, setting forth that the Company desired to reconstruct its track along Bedford Street from the Court House to the Fish Hatchery, and wished to use a light "T" rail for that purpose, with the understanding that the track was to be well gravelled, and made passable to teams throughout its length. The Company also requested that it might be permitted to operate its cars with electricity, and also asked permission to construct and maintain the necessary poles and wires for that purpose. The petition stated that these concessions were absolutely necessary to the practical success of the railway.

In pursuance of this petition an agreement was made between the Corporation and the Company, bearing date the 27th day of May, 1891, which provided for the erection of poles along the streets, the levels at which the railway was to be built, etc., etc., which in all respects were to be according to the directions of the Municipal Council of the Town of Sandwich. There is nothing said in this agreement as to the duration of the franchise. This agreement of the 27th May, 1891, was confirmed by a by-law, which was passed on the 15th December, 1892.

In 1887, when the Company was incorporated as the Sandwich, Windsor and Amherstburg Railway Company, the Street Railway Act of 1883 (46 Victoria, Chap. 16) was in force. By Section 18 of that Act it was provided that no municipal council should grant to a street railway company any privilege for a longer period than twenty years, and after the expiration of twenty years from the time of the passing of the by-law, which was acted upon, conferring the right of laying rails upon any street, etc., the Corporation might, after giving six months' notice prior to the expiration of the period limited, assume the ownership of the railway on payment of the value thereof, to be determined by arbitration. The Board is of opinion that the agreement of the 27th of May, 1891, is subject to this provision of that Statute, and that the Company could acquire no greater right than that which it enabled the Corporation to confer.

The Board is of opinion that the rights of the Town of Sandwich are not affected by the Act of 1893, 56 Victoria, Chap. 97. The Corporation was not a party to that legislation. The Board is of opinion that the agreement of the 27th of May, 1891, and the by-law passed on the 15th day of December, 1892, are binding upon the Company and the Corporation. The Board is also of opinion that the right of the Company to use and occupy the streets of the Town of Sandwich with their railway and poles and wires expires on the 15th day of December, 1912.

In order to give the Company an opportunity to test this opinion in the Court of Appeal, if they may so be advised, the Board adjourns, *sine die*, the trial of the alleged breaches of the agreement, to the Court House in the Town of Sandwich, to a date to be fixed, on the application of either party, on ten days' notice to the other. The Corporation will require to give the Company particulars of the breaches of the agreement complained of ten days before the trial.

The Board makes no order as to costs except that the Company shall pay $20 for a stamp on the formal order.

Dated this 25th day of June, 1909.

(Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

An application having been made by the above named Applicant to have all agreements between the Applicant and the Respondent construed and determined by the Board, and that directions be given for improvements in the service furnished by the Respondent, and an order having been made by the Chairman on the 24th day of February, 1909, fixing a day for the hearing of the application for the purpose of establishing any agreement between the Applicant and the Respondent with reference to which breaches are complained of, and reserving the final hearing of the application until the establishing of such agreement or agreements by the applicant, and the application for the purpose aforesaid coming on for hearing before the Board at the Legislative Buildings in the City of Toronto on the 10th day of May and the 10th day of June, 1909, upon hearing the evidence adduced on behalf of both parties and upon hearing what was alleged by counsel on both sides, and judgment having been reserved until this day:

The Board orders and declares:—

1. That the Respondent had a mere license to occupy the streets of the Town of Sandwich under the By-law of the said Town passed on the 22nd of February, 1873, and that the Corporation of the Town of Sandwich did not grant the Respondent a perpetual franchise and had not at the time of the passing of the said by-law power to grant a perpetual franchise.

2. That the railway operated by the Respondent is a street railway.

3. That the agreement between the parties dated 27th May, 1891, is subject to the provisions of the Street Railway Act of 1883 (46 Victoria, Cap. 16, Ont.), by section 18 of which it was provided that no municipal council should grant to a street railway company any privilege for a longer period than twenty years, and after the expiration of twenty years from the time of the passing of the by-law which was acted upon conferring the right of laying rails upon any street, etc., the Corporation might, after giving six months' notice prior to the expiration of the period limited, assume the ownership of the railway on payment of the value thereof, to be determined by arbitration; and that the said agreement of the 27th of May, 1891, is subject to this provision of that Statute, and that the respondent Company could acquire no greater right than that which the said provision enabled the corporation to confer.

4. That the rights of the Town of Sandwich are not affected by the Act of 1893 (56 Vic,, Cap. 97, Ont.), the Corporation of the Town of Sandwich not being a party to that legislation.

5. That the agreement of the 27th of May, 1891, and the by-law of the Town of Sandwich relating thereto passed on the 15th of December, 1892, are binding upon the respondent Company and the applicant Corporation.

6. That the right of the respondent Company to use and occupy the streets of the Town of Sandwich with its railway and poles and wires expires on the 15th of December, 1912.

7. That in order to give the respondent Company an opportunity to test the opinion of this Board in the Court of Appeal for Ontario if so advised, the Board adjourns *sine die* the trial of the alleged breaches of the agreement to the Court House in the Town of Sandwich, the date to be fixed on the application of either party on ten days' notice to the other. The Corporation will require to give the Company particulars of the breaches of the agreement complained of ten days before the trial.

8. The Board makes no order as to costs, except that the Company shall pay $20.00 for a stamp on this order.

(Signed) JAMES LEITCH.
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 364.

In the matter of the Application of the Town of Bracebridge for an order validating By-law 238 as amended by By-law 250.

June 1. Application and material filed, considered and approved.
" " Order.

Upon the application of the said Corporation and upon reading the order of this Board bearing date the Twenty-fourth day of September, A.D. 1908, the verified copy of each of the said By-laws, the affidavits of Samuel Henry Armstrong, Mayor, and Alexander C. Salmon, Clerk of the said Town, and other material, filed:

1. The Board orders that the said order of this Board, bearing date Thursday, the Twenty-fourth day of September, A.D. 1908, for the validation of the said By-law Number 238, be and the same is hereby rescinded.

2. And the Board orders that the said By-laws Numbers 238 and 250 of the Corporation of the Town of Bracebridge, intituled respectively, "By-law 238. To

provide for the issue of local improvement debentures to the amount of $4,569.82 to defray the ratepayers' share of the cost of certain concrete sidewalks constructed in the year 1905, as local improvements," and "By-law No. 250. To amend No. 238, being a By-law to provide for the issue of local improvement debentures to the amount of $4,569.82 to defray the ratepayers' share of the cost of certain concrete sidewalks constructed in the year 1905, as local improvements," be and the same are hereby approved and validated.

3. And the Board further orders, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-laws of the Town of Bracebridge, and declaring the same valid and binding, and that their validity is not open to question in any court on any ground whatever, and that the debentures to be issued under the authority of and in accordance with the said By-laws be also approved and that the same be certified, as provided by the said Act.

(L.S.) (Signed) James Leitch,
Chairman of the Ontario Railway and Municipal Board.

Procedure File No. 379.

Between S. H. Knox & Co., Applicants, and The City of Toronto, Respondents (Assessment Appeal).

Jan. 12. Notice received of application to Court of Appeal for leave to appeal from Judgment of Board herein.

This appeal was dismissed.

Procedure File No. 393.

In the matter of the Application for Annexation to Toronto of part of the Township of York (Between Toronto and East Toronto).

Feb. 17. Petition for annexation filed. Order made appointing 2nd March at 2.30 p.m. for hearing, and ordering service and publication of notice thereof.

February 27. Addition to petition for annexation filed.

March 2. Hearing pursuant to appointment. Adjourned to Thursday, 11th at 2.30 p.m. pending scrutiny (under direction of Secretary) of Mr. F. E. Hodgins' petition and if necessary the original petition. Secretary appoints Thursday, 4th inst., at 11 a.m. to commence scrutiny. Appointment changed at request of counsel.

March 4. Scrutiny of petitions commenced before Secretary; arranged to be continued by parties interested, Secretary to be called on when required, parties to report to Secretary on completion of scrutiny.

March 8. 11.30 a.m. to 1 p.m., scrutiny of petitions continued and adjourned *sine die*, pending formation of committee to represent both petitions in an effort to secure terms from City (as to fixed assessment).

March 11. Hearing adjourned to 14th April, at 2.30 p.m., so that terms of annexation may be arranged. Annexation now decreed subject to arrangement or determination of terms.

April 14. Hearing continued pursuant to adjournment—2.30-3.30 p.m. Annexation decreed, Monday, 26th April, fixed to settle order.

April 26. Order settled in presence of counsel, pursuant to appointment, order to issue at 11 a.m., Tuesday, 18th.

May 18. Formal order for annexation issued.

May 19. Formal order amended by adding annexed territory Ward No. 1 of City of Toronto.

Nov. 30. 11.30 a.m. Application heard, pursuant to appointment, for reduction, E. of Leslie Street of depth of annexed district north of Danforth Avenue, from 250 feet to 175 feet.

Dec. 1. Board delivers opinion refusing application heard yesterday.

Commencing at a point in the westerly limit of the Town of East Toronto, distant two hundred and fifty feet measured northerly from the northerly limit of Danforth Avenue; thence westerly parallel with the said northerly limit of Danforth Avenue to the easterly limit of Leslie Street; thence northerly along said easterly limit of Leslie Street one thousand and ninety feet more or less to the production easterly of the line between Lots eleven and twelve in the second concession from the Bay in the Township of York; thence westerly along said production easterly and along said line between Lots Eleven and Twelve and along the line between Lots numbers Nineteen and Twenty in the said Concession to the easterly limit of the City of Toronto; thence southerly, easterly, southerly and easterly following the present limits of the City of Toronto to the westerly limit of the Town of East Toronto aforesaid; thence northerly, westerly, northwesterly, westerly, northerly, westerly, southwesterly and northerly, following the present limits of the Town of East Toronto to the place of beginning.

APPOINTMENT FOR HEARING.

The Board hereby appoints Tuesday, the Second day of March, 1909, at the hour of half-past two in the afternoon, at its Chambers in the Parliament Building Buildings, in the City of Toronto, for the hearing herein.

And the Board orders and directs that this appointment be served on the Municipal Corporation of the Township of York, and that further notice thereof be given by the publication of same in one issue each week for two weeks in three newspapers published in the City of Toronto, and having a general circulation in the said City and in the district for which application is made for annexation to the City of Toronto.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

Dated the 17th day of February, 1909.

Commencing at a point in the westerly limit of the former Town of East Toronto distant two hundred and fifty feet measured northerly from the northerly limit of Danforth Avenue; thence westerly parallel with the said northerly limit of Danforth Avenue to the easterly limit of Leslie Street; thence northerly along said easterly limit of Leslie Street one thousand and ninety feet more or less to the production easterly of the line between Lots Eleven and Twelve in the Second Concession from the Bay in the Township of York; thence westerly along said production easterly and along said line between Lots Eleven and Twelve and along the line between Lots numbers Nineteen and Twenty in the said Concession to the easterly limit of the City of Toronto; thence southerly, easterly, southerly and easterly following the present limits of the City of Toronto to the westerly limit of the former town of East Toronto aforesaid; thence northerly, westerly, north-westerly, westerly, northerly, westerly, south-westerly and northerly, following the limits of the said Town of East Toronto to the place of beginning.

Upon reading the Resolution of the Council of the Corporation of the City of Toronto, passed on the 23rd day of November, 1908, the petitions of Ernest Hatfield and others, and of John Webber and others; upon hearing the evidence adduced and what was alleged by counsel on behalf of the Applicants, The Corporation of the City of Toronto, the Corporation of the Township of York, and the Toronto Golf Club, Limited:—

This Board doth order and proclaim that the lands and premises above described be and the same are hereby annexed to the City of Toronto, and added to Ward No. 1 thereof, the said annexation to take effect on the fifteenth day of December, 1909, upon the terms and conditions following, that is to say:—

(*a*) The lands so added, but not any new buildings or improvements erected or placed theron, shall remain for a period of five years from the first day of January, 1910, at the same assessed value as such lands were assessed in the Township of York for the year 1909, but any buildings erected and improvements made on any of the lands so added and not included in the assessment for the said year, and also all such lands as may hereafter be sold, shall be assessed as other lands and buildings under the provisions of the Assessment Act. Provided, that any buildings or improvements omitted from the assessment roll for 1909 shall be assessed on the basis of value adopted by the Township of York in similar cases.

Provided also that any transfer of the lands now occupied by the Toronto Golf Association to a new corporation for golfing purposes or to Trustees for such Association or Corporation shall not be deemed a sale hereunder.

(*b*) The taxes and rates imposed for the year 1909 or any prior year upon any of the lands included in the territory hereby annexed, or upon any ratepayer therein which shall not have been collected before 15th December, 1909, shall be collected by and belong to the Township of York, and all right to collect the same, including distress for non-payment, or if necessary, the sale of the said lands or any of them, shall remain in the said Township as though this order had not been made, and all adjustments between the City of Toronto and the Township of York shall be made as of the first day of January, 1910.

(c) The said City of Toronto may at any time in the year 1910, prior to the passing of a by-law striking the rate of taxation for the said year, assess (subject to the rights of appeal provided by the Assessment Act) the lands included in the territory hereby annexed and the owners and occupants thereof for the year 1910 as though the same had been made in the year 1909 and the same shall be assessed (except in the case of new buildings or improvements erected or placed thereon, and lands sold as aforesaid) at the same assessed value respectively as they were assessed by the Township of York for the year 1909; but new buildings erected and improvements made upon any of the lands included in the territory hereby annexed after the assessment for the said Township for 1909 was made, and lands hereafter sold shall, subject to the provisos in clause (a) be assessed for their value as authorized by The Assessment Act, and the owners and occupiers shall be notified of such assessment as required by The Assessment Act, and shall have the same right to appeal to the Court of Revision and County Judge as is provided therein, and the assessment so fixed shall be the one upon which the taxes for the year 1910 upon said lands shall be rated and imposed.

(d) Any by-laws of the Township of York granting exemption from taxation or fixing assessments within the territory hereby annexed shall not be affected by this Order, or the annexation hereby directed, and such by-laws shall remain in as full force and effect as if this Order had not been made.

(e) Leave is reserved to the applicants on notice to the City of Toronto to apply to the Board before the first day of December, 1909, to reduce the depth of any part of the frontage on the north side of Danforth avenue east of Leslie street.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

OPINION OF THE BOARD.

The Board are of the opinion that the 250 ft. boundary north of Danforth Avenue, should not be disturbed. It gives a convenient depth, gives ample room to widen the avenue; cuts through no buildings, and does not disturb the lines of any existing sub-division into lots. As no injustice is being done to anyone we will leave the line where it is. No costs to either party.

Dated 1st December, 1909.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 407.

In the matter of the application of W. B. Raymond and other ratepayers of the portions of the Township of York known as Wychwood and Bracondale, for an Order for the annexation of same to the City of Toronto.

Jan. 4. Application filed. Appointment for hearing issued for Monday, Jan. 25, at 2.30 p.m., at Board's Chambers.

Jan. 8. Petition filed.

Jan. 25. Hearing pursuant to appointment, annexation decreed. Judgment reserved as to northern boundary line and date on which annexation to take effect.

Jan. 26. Wednesday, Jan. 27, 11 a.m., fixed for conference of counsel with Board re northern boundary line.

Jan. 27. 11 a.m., conference of Board with counsel, northern boundary arranged and draft order settled.

Feb. 1. Order.

Upon the application of the said applicants made this day, upon reading the resolution of the Council of the Corporation of the City of Toronto, passed on the 14th day of December, 1908, the petition of the said applicants, and upon hearing the evidence of W. H. Edwards and what was alleged by counsel on behalf of the applicants, the Corporation of the City of Toronto, the Corporation of the Township of York and R. J. Fleming:

The Board orders and proclaims that the lands and premises in the Township of York, bounded as follows, that is to say: Commencing at a point in the present northerly limit of the City at the distance of two hundred feet measured westerly thereon from the westerly limit of Shaw street; thence northerly parallel with the said west limit of Shaw street and its production northerly, always keeping at the distance of two hundred feet westerly from and at right angles thereto, to a point two hundred feet north of the northerly limit of St. Clair Avenue; thence easterly parallel with the said north limit of St. Clair Avenue, always keeping at a distance of two hundred feet northerly therefrom, to the east limit of Humewood Avenue;

thence southerly along the said east limit to the north limit of Lot 7, according to Registered Plan No. 966; thence easterly along the north limit of Lots 1 to 7 inclusive, according to said Plan 966, and Lots 4, 5 and 6, according to Registered Plan No. 922, and the production thereof easterly to the east limit of Frederica Street; thence northerly along the said east limit to the south limit of Lot 3, according to Registered Plan No. 1342; thence easterly along the south limit of Lots 3 and 4 and along the south limits of Lots 113, 105, 49 and 39, according to Registered Plan 1322, and along the south limit of Lots Numbered 2 in Blocks "F," "E," "D," and "C," according to Registered Plan 875, to the east limit of Bathurst Street; thence southerly along the said east limit to a point thereon distant 75 feet north of St. Clair Avenue; thence easterly parallel with the said north limit of St. Clair Avenue to the east limit of Kendall Avenue; thence northerly along the said east limit to the north limit of Lot 10, according to Registered Plan 911; thence easterly along the north limit of Lots 1 to 10 inclusive, according to said Plan 911, and the production thereof easterly to the east limit of Spadina Road; thence northerly along the said east limit to the centre line of the lane shown on Registered Plan 897; thence easterly along said centre line of lane to the present west limit of the City; thence southerly, south-easterly, south-westerly, southerly, easterly, southerly and westerly, following the present limits of the City to the place of beginning; the north limit of the said lands above described being shown colored pink on plan filed in the office of the Board; be and the same are hereby annexed to the City of Toronto, the said annexation to take effect on the first day of February, A.D. 1909, upon and subject to the following terms and conditions, namely:—

1. That the portion of the said lands between the present west City limit and Bathurst Street be added to Ward No. 4 and that the remaining portion thereof west of Bathurst Street be added to Ward No. 5.

2. That the lands so added (but not any new buildings or improvements erected or placed thereon) shall remain for a period of six years from the first day of January, 1909, at the same assessed value as such lands were assessed in the Township of York for the year 1908, and buildings erected or improvements made between the time the assessment for the Township of York for 1908 was made and the 14th day of December, 1908, shall be assessed by the City upon the principle of assessment adopted by the said Township in the case of similar buildings and improvements, and shall remain at such assessed value for the said period of six years, but new buildings erected and improvements made upon any of the lands so added, after the 14th day of December, 1908, and also all such lands as may have been or may be sold after the 14th day of December, 1908, shall be assessed as other lands and buildings under the provisions of the Assessment Act.

3. That the taxes and rates imposed for the year 1908, or any prior year, on any of the lands included in the territory hereby annexed, which shall not have been collected before the first day of January, 1909, shall be collected by and belong to the Township of York, and all right to collect the same, including distress for non-payment or, if necessary, the sale of the said lands or any of them, shall remain in the said Township as though this Order had not been made, and all adjustments, between the City of Toronto and the Township of York, shall be made as of the first day of January, 1909.

4. That the said City of Toronto may at any time in the year 1909, prior to the passing of a by-law striking the rate of taxation for the said year, assess (sub-

ject to the rights of appeal provided by the Assessment Act) the lands included in the territory hereby annexed and the owners and occupants thereof for the year 1909, as though the same had been made in the year 1908, and the same shall be assessed (except in the case of new buildings or improvements erected or placed thereon and lands sold as aforesaid) at the same assessed value, respectively, as they were assessed by the Township of York for the year 1908, and the assessment so made shall be the assessment on which the taxes in the said territory for 1909 shall be collected.

5. Any by-laws of the Township of York granting exemption from taxation or fixing assessments within the territory hereby annexed shall not be affected by this Order or the annexation hereby directed, and such by-laws shall remain in as full force and effect as if this Order had not been made.

(L.S.) (Signed) James Leitch,
Chairman of the Ontario Railway and Municipal Board.

Procedure File No. 413.

In the matter of the application of the Town of Kenora for approval of By-law 441 increasing from 5 per cent. to 5½ per cent the rate of interest on Debentures ($300,000 issued under By-laws 388 and 396).

Jan. 6. Material filed and Alex. Bruce, K.C., heard in support of application.

Jan. 6. Application granted and Order made.

Upon the application of the said Corporation and upon reading the said By-laws Numbers 388 and 396, as set out in the Act 7 Edward VII., Chapter 71; a verified copy of said By-law Number 441, and the declarations of Harding Dideout, Mayor, and Donald Hector Currie, Clerk and Treasurer of the said Town, filed, and it appearing thereby that the Debentures authorized by the said By-laws Numbers 388 and 396 cannot be disposed of except at a discount involving a substantial reduction in the amount required to be provided for:

The Board orders that the said By-law Number 441 intituled "By-law No. 441 to amend By-laws Numbers 388 and 396 of the Town of Kenora," a copy whereof is hereto annexed, be and the same is hereby approved under the provisions of the Consolidated Municipal Act, 1903, Section 388 (b), (being 4 Edward VII., Chapter 22, Section 11), and that debentures authorized by By-laws Numbers 388 and 396 respectively be issued in accordance with such By-law Number 441 in the place of the debentures heretofore issued under such By-laws Nos. 388 and 396 respectively, on such last-mentioned debentures being surrendered to the said Corporation and cancelled.

(L.S.) (Signed) James Leitch,
Chairman

Procedure File No. 414.

In the matter of the application of the Town of Dunnville for validation of By-law No. 12, 1908, authorizing the issue of debentures, $15,000, by way of bonus to The Dunnville, Wellandport and Beamsville Electric Railway Company.

Jan. 12. Material filed, considered and approved.

Jan 12. Order.

Upon the application of the said Corporation and upon reading the affidavits of John Wilson Holmes, Clerk, and Charles Stevens, Treasurer of the said Town, and the exhibits thereto, the statutory declaration of Joseph Miller. Constable, the affidavit of Robert Bradford, and the exhibit thereto, the statutory declaration of David Hastings, and the certified copy of the said By-law, filed,

The Board orders that the said By-law Number 12, A.D. 1908, of the Municipal Corporation of the Town of Dunnville, intituled, "By-law No. 12, A.D. 1908. By-law to provide for aid to the Dunnville, Wellandport and Beamsville Electric Railway Company, and for issuing debentures therefor in the sum of Fifteen Thousand Dollars, by way of bonus to the said Railway Company by the Municipal Corporation of the Town of Dunnville, and to authorize the entering into of a certain agreement with the said Company," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the Town of Dunnville, and declaring the same valid and binding and that its validity is not open to question in any Court on any ground whatever, and that the debentures issued under the authority of and in accordance with the said By-law be also approved and that the same be certified, as provided by the said Act.

(Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 415.

In the matter of the application of the Town of Cobalt for an Order validating its By-law No. 72, authorizing the issue of debentures to the amount of $15,000 for Public School purposes.

Jan. 15. Application and material filed and W. J. Clark, Solicitor for applicants, heard.

Jan. 15. Order.

Upon the application of the said Corporation and upon reading the certified copy of the said by-law, and the affidavit of Harold E. Sewell, Town Clerk of the said Town, filed, and upon hearing what was alleged by counsel by the applicants,

The Board orders that the said By-law Number 72, of the Municipal Corporation of the Town of Cobalt, intituled, "By-law 72. A By-law to raise by way of debentures the sum of fifteen thousand dollars for the purpose of erecting additions and extensions to the Public School of Union School Section 1 of the Town of Cobalt and the Township of Coleman," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said by-law of the Municipal Corporation of the Town of Cobalt, and declaring the same valid and binding and that its validity is not open to question in any Court on any ground whatever, and that the debentures issued under the authority of and in accordance with the said by-law be also approved and that the same be certified as provided by the said Act.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 416.

In the matter of the application of the Village of Caledonia for an order validating its By-law No. 116, $10,000 debentures for local improvement purposes.

Jan. 18. Preliminary correspondence to date. Application and material filed.
Jan. 19. Application and material considered and approved.
Jan. 19. Order made for validation of by-law and debentures.
Jan. 23. By-law and debentures certified and returned.

Upon the application of the said Corporation and upon reading the certified copy of the said by-law, the affidavits of John Avery, Reeve, and Thomas Hassard, Clerk, of the said Village, and the exhibits thereto, and the affidavit of Harrison Arroll, filed,

The Board orders that the said By-law Number 116, of the Municipal Corporation of the Village of Caledonia, intituled, "By-law No. 116. A By-law in pursuance of section 670 of the Consolidated Municipal Act of 1903 to provide for borrowing money by issuing of debentures secured by special rates and guaranteed by the Municipality at large," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said by-law of the Municipal Corporation of the Village of Caledonia and declaring the same valid and binding and that its validity is not open to question in any Court on any ground whatever, and that the debentures issued under the authority of and in accordance with the said by-law be also approved and that the same be certified, as provided by the said Act.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 417.

In the matter of the application of the Village of Port Elgin under Section 384 of the Consodidated Municipal Act, 1903, as amended by Section 11 of the Municipal Amendment Act, 1909, for leave for the extension of the statutory period of two years for the issue of debentures under its By-law No. 482.

Jan. 19. Application and material filed and considered.
Jan. 19. Letter to applicant's solicitor with Board's opinion, etc.
May 3. Application and further material filed, considered and approved. Order.

Upon the application of the said Corporation, and upon reading the Notice of Application, the affidavits of Dennis Jabez Izzard, Reeve, and David Geddes, Clerk, of the said Village, the verified copy of the said by-law, and the other material, filed,

The Board orders that in pursuance of the provisions of Section 384 of "The Consolidated Municipal Act, 1903," as amended by Section 11 of "The Municipal Amendment Act, 1909," the time for the issue of the debentures authorized by By-law Number 482 of the said Corporation of Port Elgin, intituled, "By-law No. 482 of the Corporation of the Village of Port Elgin. A By-law to authorize the issue of debentures of the Village of Port Elgin, in the County of Bruce, to the amount of $7,000, for the purpose of granting aid by way of bonus to the extent of $7,000 to William McVicar, and to exempt the said William McVicar from taxation except school taxes," be and the same is hereby extended up to and inclusive of the second day of July, A.D. 1909.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 418.

Between the Municipal Corporation of the Township of Vaughan and the Municipal Corporation of the Township of Markham, applicants, and The Toronto and York Radial Railway Company, respondents.

Jan. 25. Notice of application filed, alleging breaches by railway of agreements re-ballasting to rail head level, level of rails with highway and spreading snow.

Jan. 25. Thursday, Jan. 28, 11 a.m., fixed for return of notice of motion for appointment for hearing.

Jan. 26. Notice of motion, returnable as above, filed.

Feb. 3. Friday, Feb. 5th, at 2.30 p.m., fixed by consent for return of notice of motion.

Feb. 5. 3.15 p.m. Applicants not having appeared, motion for hearing dismissed. Friday, 12th inst., 2.30 p.m., fixed for return of motion to fix time, &c., of hearing.

Feb. 12. Tuesday, March 9th, at 11 a.m., fixed for hearing, inspection to be made in interim. Reply to be filed Feb. 23rd.

April 15. The Municipal Corporations of the Townships of King and Whitchurch, and of the Town of Aurora are made parties Applicants by Order of this date (April 15th), and it is also ordered that complaint herein be confined to that portion of the respondent's road lying along Yonge Street, &c., &c., (see order) so far as said complaint affects respondent's road.

May 4. On application of applicants' Solicitor, 14th inst., at 10.30 a.m., fixed for view, and 17th inst., at 2.30 p.m., fixed for hearing.

May 17. Hearing pursuant to appointment. No counsel or parties appearing, Board adjourned hearing *sine die*.

June 28. Board notified counsel for applicants that it does not wish to try this application pending the appeal to the Court of Appeal in North Toronto v. Toronto and York Radial Ry. Co. (P. F. 328).

Upon the application of the Municipal Corporation of the Township of Vaughan and the Municipal Corporation of the Township of Markham, the applicants herein, and upon counsel for the Municipal Corporations of the Township of King and Whitchurch and the Town of Aurora consenting thereto,

It is ordered that the application herein be amended by adding thereto as applicants, the Municipal Corporation of the Township of King, the Municipal Corporation of the Township of Whitchurch, and the Municipal Corporation of the Town of Aurora.

It is further ordered that the portion of the respondents' road which is the subject of this complaint be confined to that portion lying along Yonge Street between the southern boundary line of the Townships of Vaughan and Markham and at the point where the said road leaves Yonge Street at Lot Number 90, in the Township of King.

Dated this fifteenth day of April, A.D. 1909.

(L.S.) (Signed) James Leitch,
Chairman.

Procedure File No. 419.

In the matter of the application of the Central Ontario Railway Company for the payment of the subsidy of $3,000 per mile on ten miles of their line extending northerly from Maynooth, Ontario.

This application refers only to the subsidy payable in respect of ten miles of construction extending northerly from Maynooth.

Feb. 2. Hearing pursuant to appointment, certificate decreed approving the ten miles of construction northerly from Maynooth.

Feb. 2. Formal order and certificate.

Upon the application of the Central Ontario Railway Company for the payment of a subsidy of $3,000 per mile for ten miles of their line extending northerly from Maynooth, Ontario, making a total sum of $30,000; upon examination of plans and profiles of the Company's Railway produced before the Board; upon hearing the viva voce testimony of John D. Evans, Chief Engineer; George Collins, Esquire, Manager of the said Railway, and R. P. Fairbairn, Chief Engineer of the Ontario Public Works Department, and upon reading the reports of the said R. P. Fairbairn, dated June 28th, 1907, January 15th, 1908, and October 22nd, 1908, and upon hearing what was alleged by counsel for the applicants,

The Board hereby certifies and declares, and it is hereby ordered that the location of the line of the said railway from Maynooth for a distance of ten miles northerly as located and constructed, be and the same is hereby approved.

And this Board further certifies that the Central Ontario Railway Company have furnished such information as to location and plans of the present passenger and freight stations on the ten miles of its railway from Maynooth, northerly, as is required by this Board, and have complied with the directions of this Board for the erection of such stations, the number of the same, and the intervals at which stoppages should be made at such stations for the accommodation of the public, and have undertaken to observe, obey, fulfil and perform all future directions of the Board with regard to stations and stoppages which the Board may hereafter consider requisite for the accommodation of the public.

And this Board further certifies that the said Company have equipped and are operating its said line of railway with railway supplies and rolling stock of Canadian manufacture.

And this Board further certifies that the said Company are entitled to be paid the subsidy of $30,000 provided by the said Statute upon the aforesaid ten miles of their said line of railway extending northerly from Maynooth, Ontario.

And the Board orders that the Company shall pay $10 for law stamps on this Order.

(L.S.) (Signed) James Leitch,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE No. 420.

Between the Corporation of the City of Hamilton, Applicant, and the Hamilton Street Railway Company, Respondent.

Feb. 1. Application filed.

Feb. 6. Reply filed.

May 21. Record filed and appointment for hearing applied for.

May 21. 27th inst. fixed for return of motion to fix hearing, etc.

May 28. 11.30 a.m. Tuesday, June 22nd, fixed for hearing.

June 22. 11 a.m. to 12 p.m., Board sits to hear argument of question of its jurisdiction herein—at conclusion of argument Board reserves judgment.

July 6. Judgment delivered holding that Board has no jurisdiction to award damages for breaches of agreement herein, but giving City leave to amend and claim specific performance in respect of work not yet done.

This is an application by the Corporation of the City of Hamilton to recover from the Hamilton Street Railway $2,418.45 for repairs to the asphalt pavement on certain streets for two feet outside of the rails of the Company's railway. The Act incorporating the Hamilton Street Railway, the by-laws of the City and the agreement between the City and the Company are set forth in the 2nd, 3rd, 4th, 5th, 6th, 7th and 8th paragraphs of the application. The City's application is made under Section 5 of By-law 624, which enacted as follows:—

"The space between the rails to be laid for the railway upon any paved or macadamized street, and for two feet outside of such rails, shall be by the said Company, and under the direction of and as required by the Board of Works in and for the said City, constructed and kept in repair with such suitable material as the said Board of Works may from time to time direct (the materials therefor to be supplied by or at the expense of the said City Corporation), and all dirt and filth caused by repairs to the said railway track shall be removed therefrom by the Company as may be directed and required by the said Board of Works, and the said Company shall also construct and keep in good repair crossings of a similar character to those adopted by the said City Council within the limits aforesaid, at the intersection of every such railway track and crossing thereof."

In the year 1894 the City paved with asphalt that portion of James Street lying between Stuart and Hunter Streets and King Street between the west side of Bay Street and the east side of Wellington Street, upon which the Company have a double track railway. The Company failed to keep in repair those portions of James and King Streets for the two feet outside of their rails from the year 1905 to the year 1907, inclusive. The City offered to supply the Company with the material necessary to repair the two feet of street in question, but the Company refused and neglected to make the repairs. The City did the repairs themselves and now seek to recover the amount expended in doing the work, which it is alleged the Company should have done, amounting to $2,418.45.

The City's claim is in the nature of damages for breach by the Company of their obligation to repair the streets in question. The first question that arises is whether or not the City can recover this demand for damages through the intervention of the Board. As this question is one of considerable moment it requires to be carefully considered. It is a question of jurisdiction from which serious consequences may flow, a jurisdiction which the Board do not want to assume unless it is clearly our duty to do so.

The Board was created by the Ontario Railway and Municipal Board Act of 1906. Being the creation of a statute its jurisdiction is only such as the statute gives it by express terms or by necessary implication. The Ontario Legislature has power to incorporate street railway companies and to give such companies power to construct and operate their railways in the streets and highways of municipalities and to make agreements with them in reference to matters affecting the use, occupation and repair of such streets. Power has been delegated to the municipalities to pass by-laws regulating the user and the terms and conditions under which a railway company may be permitted to operate their railway in the highways. The Courts were powerless to exercise any active control of the railways under the jurisdiction of the Province or to order the specific performance of the contracts or agreements made between municipalities and the railway companies, for the reason that they had no machinery with which to enforce their orders or decrees. They could only give damages, which was such an inadequate remedy that the Railway Companies were practically a law unto themselves. To meet the exigencies of the situation the Ontario Railway and Municipal Board Act of 1906 was enacted and the Board was appointed, to whom was assigned the duty of enforcing the Railway Act, the Special Act under which the Companies are incorporated and the agreements between the Companies and the Municipalities. The Board are required not only to exercise an extensive executive control of the Companies, but also to discharge the functions of a judicial tribunal in deciding the conflicting rights and interests of the Companies and the Municipalities.

Section 16 of The Ontario Railway and Municipal Board Act, 1906, provides that "the Board shall have all the powers and authority vested in it by 'The Ontario Railway Act, 1906,' and shall also have full jurisdiction to inquire into, hear and determine any application by or on behalf of any party interested;"

"(a) Complaining that the Company, or any person or Municipal Corporation, has failed to do any act, matter or thing required to be done by this Act or the said Act or the Special Act, or by any regulation, order or direction made thereunder, by the Lieutenant-Governor in Council, the Board, or by any inspecting engineer, or by any agreement entered into by the Company with any Municipal Corporation, or has done or is doing any act, matter or thing contrary to, or in violation of, this Act, or the said Act, or the Special Act, or any such regulation, order or direction, or any such agreement.

"(b) Requesting the Board to make any order, or give any direction, sanction or approval, which by law it is authorized to make or give."

Section 17 provides that (1) "The Board may order and require any Company or person or Municipal Corporation to do forthwith, or within, or at any specified time, and in any manner prescribed by the Board, so far as is not inconsistent with this Act or the said Act, any act, matter or thing which such company or person or Municipal Corporation is or may be required to do under this Act or the said Act, or the Special Act, or any such regulation, order, direction or agreement, and may forbid the doing or continuing of any act, matter or thing which is contrary to this Act or the said Act, or the Special Act, or any such regulation, order, direction or agreement, and shall have full jurisdiction to hear and determine all matters whether of law or of fact, and shall, as respects the attendance and examination of witnesses, the production and inspection of documents, the enforcements of its orders, the entry on and inspection of property and other matters necessary or proper for the due exercise of its jurisdiction under this Act, or the said Act, or otherwise, for carrying this Act or the said Act or the Special Act, or any such regulation, order, direction or agreement into effect, have all such powers, rights and privileges as are vested in the High Court of Justice.

"(2) The decision of the Board upon any question of fact, and as to whether any Company, Municipality or person is, or is not, a party interested within the meaning of this section, shall be binding and conclusive upon all Companies and persons, and Municipal Corporations, and in all Courts.

"(3) The Board shall have exclusive jurisdiction in all cases and in respect of all matters in which jurisdiction is conferred on it by this Act or by the Special Act or by the said Act, and save as herein otherwise provided no order, decision or proceeding of the Board shall be questioned or reviewed, restrained or removed by prohibition, injunction, certiorari or any process or proceeding in any court.

"Section 63 provides: (1) "Where it is alleged by a Municipal Corporation having jurisdiction over, or owning, or maintaining a highway along which a railway is operated, in whole or in part, under an agreement between such Municipality and the Company operating the railway, that the Company has violated or committed a breach of such agreement, or where it is alleged by such Company that such Municipality has violated or committed a breach of such agreement, the Board shall hear all matters relating to such alleged violation or breach of agreement, and shall make such order as to the same as to it may seem, having regard to all the circumstances of the case, reasonable and expedient, and in such order may in its discretion direct the Company or the Municipality to do such things as are necessary for the proper fulfilment of such agreement, or to refrain from doing such acts as constitute a violation or a breach thereof.

"(2) The Board may take such steps and employ such persons as may be necessary for the proper enforcement of such order, and in pursuance thereof may forcibly or otherwise enter upon, seize and take possession of the whole or part of the railway, and the real and personal property of such Company, together with its books and offices and may, until such order has been enforced, assume and take over all or any of the powers, duties, rights and functions of the directors and officers of such Company and supervise and direct the management of such Company and its railway in all respects, including the employment and dismissal of officers and servants of the Company for such time as the Board shall continue to direct such management.

"(3) Upon the Board so taking possession of such railway and property, it shall be the duty of every officer and employee of the Company to obey the orders of the Board or of such person or persons as it may place in authority in the management of any or all departments of such railway.

"(4) The Board shall, upon so taking possession of such railway and property, have power to demand, receive and pay out all moneys due to or owing by such Company, and may give checks, acquittances and receipts for moneys to the same extent and in as full and ample a manner as the proper officers of such company could do if no such order had been made.

"(5) Checks, acquittances or receipts so given by the Board shall be a defence to any action that may afterwards be brought by such Company against the person or Corporation paying over the money for which such checks, acquittances or receipts were given.

"(6) The Board and the members thereof, and its officers and employees shall not be liable to any action for acts done by them or any of them under the authority of this section.

"(7) The costs and expenses of and incidental to proceedings to be taken by the Board under this section shall be in the discretion of the Board, and the Board shall have power to direct by whom and to what extent the same shall be paid.

"(8) The certificate of the Board as to the amount of such costs and expenses shall be final.

"Section 20. In case default shall be made in the doing of any act, matter or thing, which the Board may direct to be done by the Company or person or Municipal Corporation who is required to do the same, the Board may authorize such person as they may see fit to do the act, matter or thing, and in every such case the person so authorized may do such act, matter or thing, and the expense incurred in the doing of the same may be recovered from the Company or person or Municipal Corporation in default as money paid for and at the request of such Company or person, and the certificate of the Board of the amount so expended shall be conclusive evidence thereof."

It is clear that this legislation gives the Board jurisdiction where the Company has violated or committed a breach of such agreement or where the municipality has violated or committed a breach of the agreement to compel the Company or the Municipality or both to specifically perform the agreement. To enable the Board to enforce their Order against a Company they have power to enter upon, seize and take possession of the whole or part of the railway and its real and personal property. In case of default of a municipal corporation in obeying the Order of the Board, the Board may direct the work to be done by some other person and the expense incurred may be recovered by such person from the Municipal Corporation in default as money paid and the certificate of the Board shall be conclusive evidence.

In all this legislation there is no inroad made upon the jurisdiction of the Courts. The jurisdiction that the Courts had before the creation of the Board they have still. The jurisdiction conferred upon the Board was entirely new and original. The Board was established for the purpose of enforcing statutory enactments and agreements made by virtue of statutory power. It does not follow that because the Board has power to hear and determine any application, and to specifically enforce a statutory enactment or an agreement made by virtue of statutory power, that they have jurisdiction to award damages for their violation. The Board has power to prevent their violation, but if either party permit the other to violate the Statute or agreement without asking the intervention of the Board, and damages accrue, we are of opinion that these damages must be recovered in the Courts, which always were and still are wide open.

The Board has responsible and drastic powers delegated to it by the creative Act. It will readily occur upon reflection that if the Board were compelled to undertake to try actions for damages, which will accrue to individuals throughout Ontario, based upon breaches of the Railway Act and on the contracts between the thirty odd railways under their jurisdiction and treble that number of municipalities, the Board must soon, from mere accumulation of cases, find itself paralyzed and incapable of performing the prompt, direct and effective work contemplated by the Act, which the public interest requires at its hands. It is the opinion of the Board that the Legislature was fully sensible of this and intentionally omitted to give the Board express jurisdiction to award damages.

By sub-section 3 of section 17 of the Act creating the Board, it is provided that the Board shall have exclusive jurisdiction in all cases and in respect of all matters in which jurisdiction is conferred on it by that Act or by the Special Act or by the Railway Act. If this Board has jurisdiction, the Courts have not, and the result will be that Trial by Jury in all cases arising out of the Railway Act will be abolished. It never could have been the intention of the Legislature to deprive the individual litigant against the Companies of the palladium of his rights. There should be no straining by the Board for jurisdiction, neither does the Board want to shirk its duty. Fortunately we are not the sole judges of our jurisdiction. It is not what we say but what the Court of Appeal determines that fixes our jurisdiction.

During the argument we were asked by the City to construe sections 5 and 11 of By-law 624, for the reason that these sections were now being violated. It would be impossible to construe these sections without evidence of the nature and character of the alleged breaches. Before the Board can say whether or not its powers can be invoked, it must hear the evidence. We therefore give the City leave to amend and give particulars and adjourn the further hearing of this application until after the determination of the question of the Board's jurisdiction by the Court of Appeal.

The Board makes no Order as to costs except that the City shall pay $10 for stamps on the formal Order.

Dated this 6th day of July, 1909.

(Signed) JAMES LEITCH,
Chairman.

PROCEDURE FILE NO. 421.

Between the Board of Trade of Niagara Falls, Applicant, and The International Railway Company, Respondent.

Feb. 4. Application filed.

Feb. 20. Friday, 26th inst., 3 p.m., fixed for return of Applicant's motion to fix date of hearing, etc.

Feb. 26. Thursday, April 15th, at 2.30 p.m., at Board's Chambers, fixed to hear argument of question of Board's jurisdiction herein.

April 15. Hearing of argument adjourned at request of counsel till Monday, May 3rd, at 2.30 p.m. Niagara Falls Park Commissioners to be notified.

May 3. Argument heard as to question of Board's jurisdiction herein. Judgment reserved.

May 6. Judgment delivered, affirming that Board has jurisdiction over the rates charged by Respondents.

May 28. Formal Order issued.

June 1. Notice of motion for leave to appeal received.

June 1. Order.

This is an Application made by the Board of Trade of Niagara Falls against the International Railway Company, alleging that the Company in the operation of their Electric Railway from Chippawa to Queenston charge the public travelling on their cars a minimum cash fare of ten cents no matter how short the distance, contrary to Section 171 of the Ontario Railway Act, 1906, and praying that relief may be granted by this Board, compelling the Company to accept a five cent cash fare for conveying passengers for any distance not exceeding three miles south of Bridge Street.

The purpose of this application, evidently, is to compel the Company to comply with Section 171 of the Ontario Railway Act, 1906, 6 Edward VII., Cap. 30, which provides that the fares on railways operated by electricity shall not exceed five cents for any distance not exceeding three miles, and where the distance exceeds three miles then not exceeding two cents per mile or fraction thereof for the distance actually travelled.

The Applicants did not apply to this Board for an Order directing the Company to file a reply, and the practice of the Board did not require the Company to do so without an Order. On the hearing of the application before the Board, the Company however alleged, as their sole defence, that this Board had no jurisdiction to fix the passenger rates which can be charged by the Company, but on the contrary that the Commissioners for the Queen Victoria Niagara Falls Park had the power to fix such rates. The issue is therefore clear cut. Who has the power and authority to fix the passenger rates, this Board or the Commissioners?

It is necessary to carefully consider the original Act incorporating the Company, Statutes of Ontario, 1892, 55 Victoria, Chapter 96, intituled "An Act to Incorporate the Niagara Falls Park and River Railway Company," as well as the agreement set forth in Schedule B to that Act. The agreement was made on the 4th day of December, A.D. 1891, between the Commissioners and Edmund B. Osler, Esq., and others. At the time the agreement was entered into, the parties thereto had no authority to make it, consequently it was necessary to validate it by Act of Parliament. This was done by Section 1 of the Company's Incorporation Act, 55 Victoria, Cap. 96. Section 32 of the agreement in Schedule B to that Act provides, that the Company's tariff for passengers shall be a reasonable one and shall be subject to the approval of the Commissioners, provided that the Commissioners are not to have the right to insist upon such a tariff as will prevent the Company operating the railway at a fair profit, but it shall be their privilege to exact from the Company the imposition of reasonable rates only. It is upon this Clause of the Agreement and Sub-section 5 of Section 171 of the Ontario Railway Act, 1906, that the Company rest their contention that the Commissioners and not the Board have authority to fix the rates.

By Section 5 of the Company's Incorporation Act, 55 Victoria, Cap. 96, the clauses and provisions of the Railway Act of Ontario and the amendments thereto, except Sub-section 18 of Section 9, and save as barred, varied or excepted by the Act itself, etc., etc., formed part of the Act.

By the same Section certain portions of the Railway Act were expressly excluded from the Act of Incorporation. Shortly stated, the effect of Section 5 of the Act, 55 Victoria, Cap. 96, was to incorporate therein Section 31, R.S.O. 1887, Cap. 170, the then Railway Act of Ontario, and make such Section part thereof. Sub-section 9 of said Section 31 provides that no tolls should be levied or taken until approved of by the Lieutenant-Governor in Council, by Order-in-Council, etc. An Order-in-Council was passed on the 5th January, A.D. 1894, approving of the Company's by-law fixing the tolls to be levied for the conveyance of passengers and express.

It was ably argued by Mr. Fraser on behalf of the Company that Clause 32 of the agreement barred or varied Section 31 of R.S.O. 1887, Cap. 170, and that Sub-section 5 of Section 171 of the Railway Act, 1906, applied, and therefore the Commissioners and not this Board had the sole power and authority to fix the Company's passenger rates. It will be observed that the agreement of the 4th December, 1891, Schedule B to the Act, is only validated. It is not made part and parcel of the Company's Act of Incorporation. Parliament said in effect, we will validate your agreement, but when it comes to fixing your tolls or passenger rates, Section 31 of the Railway Act of Ontario will apply. No matter what agreement you make between yourselves, the rates for the conveyance of the public on your railway must be fixed in accordance with Section 31. If Parliament had intended that Clause 32 of the agreement should vary Section 31 of Cap. 170, it would have said so, and Section 5 would have read "save as barred, varied or excepted by the agreement." But the Act does not say that. It says "save as barred, varied or excepted by this Act."

The conflict is between the agreement and the positive enactment of the Statute, and the opinion of the Board is that the Statute must prevail. We therefore have before us a special Act, not an agreement, providing for the fixing of tolls or passenger fares. Section 171 of the Ontario Railway Act, 1906, provides that "notwithstanding anything contained in any agreement with any Municipal or other Corporation or person, or any provision contained in any special Act to the contrary, the fares to be taken by the Company on a Railway operated by electricity for each passenger shall not exceed five cents for any distance not exceeding three miles, and where the distance exceeds three miles then not exceeding two cents per mile or fraction thereof for the distance actually travelled.

The Board are of the opinion that Sub-section 5 of Section 171 of the Ontario Railway Act, 1906, does not apply in this case, for the reason, that there is no Act or Statute which makes the Company's tariff of passenger fares subject to the approval of any Commissioners, etc., and that we are in no wise bound to consider Clause 32 of the agreement, but that we are bound to fix the Company's tariff for passenger fares in conformity with Section 171.

We might also refer to Sections 16 and 17 of the Ontario Railway and Municipal Board Act of 1906, as having a bearing on the question of the Board's jurisdiction. The following Statutes may be referred to, in connection with the change from the Niagara Falls Park and River Railway Company to the International Railway Company but otherwise they have no bearing upon this controversy:—Statutes of Canada, 1900, Cap. 54; 1902, Cap. 43; Statutes of Ontario, 1901, Cap. 86; 1902, Cap. 12.

It was suggested by Mr. Ferguson on behalf of the Applicants, that this Board should state a case for the opinion of the Court of Appeal. This we declined to do. We prefer to decide the question involved, as well as we can, so that a concrete case may be presented to that Court for their determination, rather than what might appear to be an academic question. We are pathfinders, and we prefer to blaze the trail ourselves, rather than ask other people to blaze it for us. The Board directed that the Commissioners of the Queen Victoria and Niagara Falls Park should be represented upon the hearing of this application. Sir Aemilius Irving appeared for the Commissioners and very ably stated his views on the question of jurisdiction.

The Board makes no Order as to costs except that the Company shall pay $20 stamps on the formal Order.

Dated this Sixth day of May, A.D. 1909.

(Signed) James Leitch,
Chairman of the Ontario Railway and Municipal Board.

Upon the application of the above named Applicant in the presence of the Applicant and Respondent, and of the Queen Victoria Niagara Falls Park Commissioners, and upon hearing the evidence adduced on behalf of the Applicant and Respondent, and upon hearing Counsel for the Applicant and Respondent, and the Queen Victoria Niagara Falls Park Commissioners.

The Board orders that the fares to be taken by the Respondent Company on their railway for each passenger shall not exceed the fares mentioned and set forth in Section 171 of the Ontario Railway Act, 1906.

The Board makes no order as to costs except that the Respondent shall pay $20 for stamps on this order.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 422.

In the matter of the application of the City of St. Thomas for approval of Bylaw No. 1777, $10,000 debentures to pay balance of City's share of cost of rebuilding the Lynhurst, Brewery and Ashery Bridges, and the cost of reconstruction of the Mill Creek and Palm Street Bridges.

Feb. 4. Application and material filed, considered and approved.

Feb. 4. Order.

In the matter of the application of the Corporation of the City of St. Thomas for approval of By-law No. 1777 authorizing the issue of debentures to an amount not exceeding $10,000, for paying the balance of the share of the said City of rebuilding the Lynhurst, Brewery and Ashery Bridges, and of the cost of the reconstruction of the Mill Creek and Palm Street Bridges.

Upon the application of the Corporation of the City of St. Thomas and upon reading a certified copy of By-law No. 1777 of the said City, and the declarations of George Geddes, Mayor, James A. Bell, City Engineer, and William Burton Doherty, City Clerk, and upon hearing what was alleged by Counsel for the said Corporation,

It is ordered that By-law No. 1777 of the said City of St. Thomas be and the same is hereby approved and confirmed, pursuant to the provisions of Section 388 (*a*) of the Consolidated Municipal Act, 1903.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 423.

In the matter of the application of the Town of Thessalon for an order validating its By-law No. 85, authorizing the issue of debentures to the amount of $9,757.50 for extension of Waterworks and Electric Light Plants.

Feb. 8. Application and material filed, considered and approved.

Feb. 8. Order.

Upon the application of the said Corporation and upon reading the certified copy of the said by-law, the affidavits of Mabel L. Fleron, Stenographer, Daniel J. Sandie, Mayor, and Charles Arthur Batson, Clerk, of the said Town, filed.

The Board orders that the said By-law No. 85, of the Municipal Corporation of the Town of Thessalon, intituled, "By-law No. 85, Year 1908, of the Town of Thessalon. A by-law to provide for the expenditure of $5,000 in extending and improving the waterworks aand electric light systems of the Town of Thessalon and to authorize the issue of debentures of the Town of Thessalon to the amount of $9,757.50 for the purpose of raising the said sum of $5,000," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said by-law of the Municipal Corporation of the Town of Thessalon and declaring the same valid and binding and that its validity is not open to question in any Court on any ground whatever, and that the debentures issued under the authority of and in accordance with the said by-law be also approved and that the same be certified, as provided by the said Act.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 424.

In the matter of the application of Sudbury for approval of agreement and by-law providing for the closing of certain streets and lanes for station yard purposes of the Canadian Northern Ontario Railway, etc. (See Sect. 3, Cap. 37, 7 Edw. VII. (Ont.)

Feb. 9. Petition, copy of proposed agreement and by-law and plans filed.

PROCEDURE FILE NO. 425.

In the matter of the application of the Village of Georgetown for validation of its By-law No. 36 and the debentures thereunder to amount of $7,800 and interest to consolidate the floating debt of said Village.

Feb. 11. Application and material filed.

Feb. 12. Application and material considered and approved.

Feb. 12. Order.

Upon the application of the said Corporation and upon reading the Notice of Application, the certified copy of the said by-law, the affidavits of John George Harley, Reeve, and Herbert W. Kennedy, Clerk, of the said Village, filed.

The Board orders that the said By-law No. 306, of the Municipal Corporation of the Village of Georgetown, intituled, "By-law No. 306." A by-law to authorize the issue of debentures for the purpose of consolidating the floating debt of the Village of Georgetown," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said by-law of the Municipal Corporation of the Village of Georgetown and declaring the same valid and binding and that its validity is not open to question in any Court on any ground whatever, and that the debentures issued under the authority of and in accordance with the said by-law be also approved and that the same be certified, as provided by the said Act.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 426.

In the matter of the Toronto York Radial Railway Company for approval of its by-law *re* passengers in vestibules and on front seats of open motors.

Feb. 15. Application and copy of by-law filed.

Feb. 15. Letter to Company approving for the present the regulation or by-law submitted by them to the Board.

(Papers herein are filed with P. F. 311.)

PROCEDURE FILE NO. 427.

In the matter of the application of the City of Ottawa for the approval of By-law No. 2818 and debentures ($70,172.46) for extension of waterworks.

Feb. 15. Application and material filed, considered and approved.

Feb. 17. Order.

Upon the application of the above named Corporation and upon reading the notice of application, a copy of the said by-law, the affidavits of Norman H. H. Lett, Assistant City Clerk; James A. Ellis, City Treasurer; and Newton J. Ker, City Engineer,

The Board orders that the said By-law of the said Corporation, being By-law No. 2818, entituled "A By-law to authorize the issue of debentures to the amount of $70,172.46 for waterworks purposes," be and the same is hereby approved.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 428.

In the matter of the application of the City of Ottawa for an order for the annexation to said City of a part of the Township of Nepean in the County of Carleton.

Feb. 20. Application and material filed, letter to Applicants' Solicitor appointing 4th March, 2.30 p.m. for hearing.

March 4. Hearing, annexation decreed. Order made accordingly.

March 5. Copy of order sent to Assistant Provincial Secretary for publication in Ontario Gazette.

1. Upon the application of the above named Corporation for an order for the annexation to the City of Ottawa of that part of the Township of Nepean in the County of Carleton hereinafter described and upon reading the notice of application, the resolution of the Municipal Council of the said Corporation declaring that it is expedient that the said part of the said Township of Nepean should be annexed to the said City and a petition signed by all the ratepayers of the part of the Township of Nepean affected, praying that the said part of the said Township may be annexed to the said City of Ottawa.

2. The Board orders that that part of the Township of Nepean in the County of Carleton, described as follows: Beginning at a point where the westerly boundary of Holland Avenue intersects the southerly boundary of Carling Avenue, thence the part of the Township of Nepean affected, praying that the said part of the westerly limit of the City of Ottawa to the northerly limit of the Right-of-Way of the Grand Trunk Railway Company of Canada, thence westerly along the said northerly limit of the Right-of-Way of the Grand Trunk Railway Company of Canada to a point where it intersects the westerly limit of the City of Ottawa, thence southerly along the line of the westerly limit of the City of Ottawa produced to the southerly limit of the Merivale Road (sometimes known as Carling Avenue), thence easterly along the said southerly limit of the Merivale Road to the place of beginning; be and the same is hereby annexed to the said City of Ottawa.

3. The Board further orders that:—

(*a*) The said annexed territory shall form part of Dalhousie Ward in the said City of Ottawa.

(*b*) The City of Ottawa shall assume any municipal liability or debts as may be just and is determined under Section 58 of the Municipal Act at the date of annexation.

(*c*) For a period of 10 years to be calculated from the 27th day of July, 1907, no part of the said property shall be chargeable with water rates except when supplied with water at the owner's request and water rates shall then only be charged against the particular parcel or parcels of land applied for.

(*d*) For a period of 20 years to be calculated from the said 27th day of July, 1907, the said lands and the buildings existing thereon on the said date shall not be assessed at any greater value than the assessment thereof by the assessor of the said Township of Nepean for the year 1906 and the rate of taxation for the said period of 20 years on the said lands and buildings shall not exceed the rate for all purposes levied by the said Township of Nepean for the year 1906 except that the City of Ottawa shall be at liberty from time to time in its discretion to add to such assessment the value or a percentage thereof of any building, plant or machinery erected or any improvement made after the date of annexation, but in the event of any such addition being made to the assessment, the rate of taxation on the buildings, plant, machinery and property shall be the current rate for the said City of Ottawa.

4. And the Board further orders that this order shall take effect on and from the date thereof.

(L.S.) (Signed) James Leitch,
Chairman of the Ontario Railway and Municipal Board.

Procedure File No. 429.

In the matter of the application of the City of Ottawa for an order for the establishment of a new ward in the City to be known as the "Ninth Ward."

Feb. 20. Application and material filed.

Feb. 22. Order.

Upon the application of the Corporation of the City of Ottawa and upon reading the affidavit of Norman H. H. Lett, the Assistant City Clerk, of the said City and the resolution of the Municipal Council annexed as exhibit "A" to the said affidavit declaring the expediency of the establishment of a new ward in the said City of Ottawa to comprise and be composed of that part of Wellington and Central Wards lying south of the tracks of the Grand Trunk Railway Company in the said City of Ottawa and it appearing that the said resolution was adopted by a unanimous vote of the members of the said Council.

The Board orders that there shall be established in the said City of Ottawa a new ward to comprise and be composed of that part of Wellington and Central Wards lying south of the tracks of the Grand Trunk Railway Company in the said City of Ottawa.

The Board further orders that the said ward shall be designated and known as the "Ninth Ward."

(Signed) James Leitch,
Chairman of the Ontario Railway and Municipal Board.

Procedure File No. 430.

In the matter of the application of the Town of Clinton for validation of its By-law No. 10 for 1907. ($53,000 for Waterworks.)

Feb. 22. Application and material filed and considered.

Letter to Applicants returning affidavits for correction and re-date of issue of debentures.

PROCEDURE FILE No. 431.

In the matter of the application of the Town of Renfrew for approval of its By-law No. 443, $35,000 for Waterworks Extensions.

Feb. 24. Application and material filed, considered and approved.

Upon the application of the above named Corporation, and upon reading the notice of application the certified copy of the said by-law, and the affidavits of James K. Rochester, Clerk, John A. Stewart, Engineer, and Norman McCormack, Chairman of the Waterworks Committee of the Council, of the said Town, and the other material filed.

The Board orders that the said by-law, numbered 443 of the Municipal Corporation of the Town of Renfrew, intituled, "By-law No. 443. A By-law to raise by way of loan the sum of thirty-five thousand dollars ($35,000) for the purpose of extending and improving the existing system of waterworks in the Town of Renfrew by purchasing and developing an available and suitable waterpower in the Town of Renfrew and to authorize the issue of debentures therefore," be and the same is hereby approved.

(L.S.) (Signed) JAMES LEITCH,

Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE No. 432.

In the matter of the application of the Town of Bruce Mines for an order validating By-law No. 45 and the debentures thereunder, $3,000 for electric light plant.

Feb. 22. Application and material filed and considered.

Feb. 22. Notice to Applicants that Board will not consider application till pending proceedings to quash by-law be disposed of.

PROCEDURE FILE No. 433.

In the matter of the application of the Township of Hudson for an order validating By-law No. 15 authorizing the issue of debentures, $2,600 (with interest) for a school site and building.

March 1. Application and material filed, considered and approved.

March 1. Order.

Upon the application of the said Corporation and upon reading the affidavit of Edmund Sackrider, Clerk of the said Township, and the certified copy of the said by-law, filed.

The Board orders that the said By-law No. 15, of the Municipal Corporation of the Township of Hudson, intituled, "By-law No. 15. A By-law to raise the sum of $2,600 for the purpose of the erection of a school house and the purchase of a school site, and to authorize the issue of debentures therefor," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said by-law of the Municipal Corporation of the Township of Hudson and declaring the same valid and binding and that its validity is not open to question in any Court on any ground whatever, and that the debentures issued under the authority of and in accordance with the said by-law be also approved and that the same be certified, as provided by the said Act.

(Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE No. 434.

Re Act respecting the Floating Debt of the Town of Dundas.

March 1. Above Act (Bill No. 11) received from the Clerk of the House. Referred to the Board for report under Rule of the House No. 61 (*a*).

March 1. 3 p.m., 5th inst. fixed to receive Town Treasurer, etc.

March 5. Interview with Town Treasurer, etc. (deputation).

March 9. Report on Bill.

The Board have made enquiry into the allegations set out in the above Bill, and into all other matters which the Board deem necessary in connection therewith, and beg to report that it is reasonable that such bill be passed into law.

The Board, however, find that the following alterations should be made in the Bill:

That the Bill should provide for a sinking fund for the payment of the debentures at their maturity, and that such sinking fund should be paid to the Provincial Treasurer in pursuance of the Municipal Securities Act of 1908.

Dated this 9th day of March, A.D. 1909.

(Signed) JAMES LEITCH,
Chairman.

(Signed) A. B. INGRAM,
Vice-Chairman.

(Signed) H. N. KITTSON, Member.

To The Honourable The Legislative Assembly of the Province of Ontario.

PROCEDURE FILE No. 435.

In the matter of the application of the Town of Midland for an order validating its By-law No. 690 to authorize the issue of debentures for public school purposes to amount of $4,000.

March 3. Correspondence to date. Application and material filed, considered and returned for correction.

March 17. Corrected and additional material filed.

March 29. Corrected and additional material considered and approved.

March 29. Order.

Upon the application of the said Corporation and upon reading the notice of application, the certified copy of the said by-law and the affidavits of Edwin Letherby, Mayor, and Thomas I. Trueman, Clerk, of the said Town, filed.

The Board orders that the said By-law No. 690, intituled, "By-law No. 690. To authorize the issue of debentures, for public school purposes to the amount of $4,000," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that certificates be granted approving the said by-law of the Municipal Corporation of the Town of Midland and declaring the same valid and binding and that its validity is not open to question in any Court on any ground whatever, and that the debentures issued under the authority of and in accordance with the said by-law be also approved and that the same be certified, as provided by the said Act.

(Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 436.

In the matter of the application of the Town of Essex for validation of its By-law 435 (amended as to minimum amount of debentures by By-law No. 449) and the debentures thereunder, $1,746.22 for silex stone sidewalks.

March 3. Application and material filed, considered and approved.

March 3. Order.

Upon the application of the said Corporation, and upon reading the certified copy of each of the said by-laws, the affidavit of James A. Hicks, Mayor, and George E. Wightman, Town Clerk, of the said Municipal Corporation, and the other material, filed.

The Board orders that the said By-law No. 435, intituled "By-law No. 435. By-law to authorize the construction and provide for the payment of Silex Stone walks on certain street in Town of Essex," and the said amending By-law No. 449, intituled "By-law No. 449. A By-law to amend clause No. 2 of By-law No. 435 of the Town of Essex," be and the same are hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that certificates be granted approving the said By-laws of the Municipal Corporation of the Town of Essex, and declaring the same valid and binding, and that their validity is not open to question in any Court on any ground whatever, and that the Debentures to be issued under the authority of and in accordance with the said By-laws be also approved, and that the same be certified, as provided by the said Act.

(Sgd.) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 437.

In the matter of the application of the City of Woodstock for approval of its Electric Light Extension By-law 447 for the issue of debentures to amount of $1,990.89 (with interest).

Mar. 4. Application and material filed, considered and approved.

Mar. 4. Order.

Upon the application of the above-named Corporation, and upon reading the Notice of Application, the statutory declaration of Rolando George Sawtell, Mayor, George Charles Eden, Treasurer, and John Morrison, Clerk, of the said city, and the certified copy of the said By-law, filed.

The Board orders that the said By-law Number 447 of the Municipal Corporation of the City of Woodstock, intituled, "By-law No. 447, of the Municipal Corporation of the City of Woodstock, authorizing the Mayor and Treasurer to issue debentures to the amount of $1,990.89, to meet the cost of certain improvements and extensions to the Electric Light Plant of the City," be and the same is hereby approved.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 438.

Re Bill (No. 9) to confirm By-law No. 251 of the Township of Springer (to borrow $3,500.00 by issue of debentures to pay floating debt).

March 4. Above Bill received under Rule of the House No. 61*a*.

March 11. Letters for financial data.

March 15. Interview with Mr. Aubin, M.P.P., Bill considered and financial conditions affecting.

Interview with counsel for Township Springer according to appointment.

March 15. Report transmitted to House.

The undersigned has had under consideration Bill (No. 9) intituled, "An Act to confirm By-law No. 251 of the Township of Springer," and the petition therefor.

The Board has made enquiry into the allegations set out in the Bill and into all other matters which the Board deem necessary in connection therewith, and beg to report that it is reasonable that such Bill do pass into law.

Dated this fifteenth day of March, 1909.

(Signed) JAMES LEITCH,
Chairman of the Ontario Railway and
Municipal Board.

(Signed) A. B. INGRAM,
Vice-Chairman.

(Signed) H. N. KITTSON,
Member.

PROCEDURE FILE NO. 439.

Re Bill (No. 10) to confirm By-law No. 245 of the Town of Sturgeon Falls (to borrow $20,000.00 to pay floating debt).

March 4. Above Bill received under Rule of the House No. 61*a*. Letters for financial data.

March 9. Interview with parties supporting Bill, financial condition considered

March 11. Interview with parties supporting Bill, financial condition considered

March 15. Interview with parties supporting Bill, financial condition considered

March 22. Interview with Messrs. Bradford & McKee *re* Bill.

March 23. Report against Bill transmitted to House.

In the matter of Bill No. 10 intituled "An Act to confirm By-law No. 245 of the Town of Sturgeon Falls," and the petition therefor.

The undersigned have made enquiry into the allegations set out in the above Bill and into all other matters in connection therewith, and beg to report that it is not reasonable that such Bill should pass into law.

Dated this twenty-third day of March, A.D. 1909.

(Signed) JAMES LEITCH,
Chairman of the Ontario Railway and
Municipal Board.

(Signed) A. B. INGRAM,
Vice-Chairman.

(Signed) H. N. KITTSON,
Member.

PROCEDURE FILE NO. 440.

Re Bill (No. 13) to consolidate the debenture debt of the County of Middlesex.

March 4. Above Bill received under Rule 61*a*. Letter written to County Treasurer for data. Letter to George Neely, Esq., M.P.P., *re* Bill.

March 5. Interview with George Neely, M.P.P., *re* Bill.

March 12. Interview with George Neely, M.P.P., and County Treasurer and Counsel, *re* Bill.

March 16. Interview with George Neely, M.P.P., and County Treasurer and Counsel, *re* Bill.

March 19. Interview with George Neely, M.P.P., and County Treasurer and Counsel, *re* Bill.

March 23. Interview with George Neely, M.P.P., and County Treasurer and Counsel, *re* Bill.

March 24. Report to House.

The undersigned have had under consideration the above Bill and after an enquiry into the allegations set out therein and into all other matters in connection therewith, beg to report to the House that it is reasonable that such Bill should pass into law with the following alterations:—That the sum of $137,473.64 sinking fund, which is cash or is represented by Debentures of the County, which have been purchased with said sinking fund, should be deducted from the said sum of $486,260.00 mentioned in the Bill, leaving the sum of $348,786.36, which should be substituted for the said sum of $486,260.00 mentioned in the preamble and in sections 1 and 2 of the said Bill. The Bill should also provide for a sinking fund sufficient for the payment of the renewal debentures amounting to $348,786.36 as they mature from time to time, and that such sinking fund should be paid to the Provincial Treasurer in terms of "The Municipal Securities Act, 1908."

Dated this twenty-fourth day of March, 1909.

(Signed) JAMES LEITCH,
Chairman of the Ontario Railway and
Municipal Board.

(Signed) A. B. INGRAM,
Vice-Chairman.

(Signed) H. N. KITTSON,
Member.

PROCEDURE FILE NO. 441.

In the matter of the application of the village of Dundalk for an Order validating its By-law No. 218 to raise by way of debentures the sum of $2,700 (with interest at 4½ per cent.) for Drain Construction.

March 8. Application and material filed by Geo. A. Stinson & Co.

March 8. Letter to applicants for further proofs, etc.

March 27. Additional material filed, considered and approved.

March 27. Order.

Upon the application of the said Corporation and upon reading the verified copy of the said By-law, the affidavits of John Sinclair, Reeve, and Matthew W. Ridley, Clerk, of the said village, and the other material, filed.

The Board orders that the said By-law Number 218, intituled, "Local Improvement Debenture By-law No. 218 of the Corporation of the Village of Dundalk. To raise by way of debenture the sum of twenty-seven hundred dollars bearing interest at the rate of four and one-half per cent. per annum to pay for the construction of drain in the Village of Dundalk, commencing on the southerly side of Grey Street, thence running north-easterly to part of Farm Lot 228, thence southerly to line between Lots 232 and 233 in said corporation," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the Village of Dundalk, and declaring the same valid and binding, and that its validity is not open to question in any Court on any ground whatever, and that the debentures to be issued under the authority of and in accordance with the said By-law be also approved, and that the same be certified as provided by the said Act.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 442.

Re Bill (No. 141) respecting the Consolidated Debenture Debt of the City of Ottawa.

March 10. Letter received from City Solicitor, Ottawa, enclosing copy of Bill, statement showing how certain outstanding debentures can be retired and copy of By-laws 1434 and 1552.

March 16. Interview with Mayor and deputation from Ottawa.

March 18. Report transmitted to the House.

To the Honourable, the Legislative Assembly of the Province of Ontario, in Parliament assembled:—

The undersigned has had under consideration Bill (No. 141), intituled, "An Act respecting the City of Ottawa," and the Petition therefor.

The Board has made enquiry into the allegations set out in the Bill and into all other matters which the Board deem necessary in connection therewith, and beg to recommend that the figures "137,371.92" be substituted for the figures "130,000" in the seventh line of Section 4 of the said Bill; also that Section 10 of said Bill be struck out; and that it is reasonable with such changes that such Bill do pass into law.

Dated this eighteenth day of March, 1909.

(Signed) JAMES LEITCH,
Chairman of the Ontario Railway and
Municipal Board.

(Signed) A. B. INGRAM,
Vice-Chairman.

(Signed) H. N. KITTSON,
Member.

PROCEDURE FILE NO. 443.

In the matter of the application of the Town of Thorold for the approval of By-law No. 238 for the issue of debentures to the amount of $15,000 for Waterworks Extension.

March 8. Application and material filed.

March 9. Application and material considered and approved.

March 10. **Order.**

Upon the application of the above named Corporation, and upon reading the affidavits of Andrew McCulloch, Mayor; Leslie S. O'Connor, Superintendent of the Waterworks System, and Donald J. C. Munro, Clerk, of the said Town, the affidavit of Willis Chipman, Engineer, the copy of the said by-law and the certificate signed by the said Donald J. C. Munro, filed.

The Board orders that the said By-law No. 238 of the Municipal Corporation of the Town of Thorold, intituled "By-law No. 238. A By-law of the Town of Thorold, to provide for the raising of the sum of Fifteen thousand dollars ($15,000.00) by the issue of Debentures for that amount, for the purpose of paying the cost of extending the water works system of the Town of Thorold," be and the same is hereby approved.

(L.S.) (Signed) A. B. INGRAM,
Vice-Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 444.

Re Bill (No. 30), respecting certain debts of the Town of Sarnia.

March 10. Above Bill received under Rule of the House No. 61a.

March 10. Letter to Town Clerk for Auditor's report, &c.

March 18. Interview with parties supporting Bill, enquiry as to same and financial conditions.

March 18. Bill reported to House.

To the Honourable, the Legislative Assembly of the Province of Ontario, in Parliament assembled:—

The undersigned has had under consideration Bill (No. 30) intituled, "An Act respecting certain Debts of the Town of Sarnia," and the Petition therefor.

The Board has made enquiry into the allegations set out in the Bill and into all other matters which the Board deem necessary in connection therewith and beg to report that it is reasonable that such Bill do pass into law. The Board, however, find that the following alterations should be made in the Bill:—

That the Bill should provide for a sinking fund for the payment of the debentures at their maturity, and that such sinking fund should be paid to the Provincial Treasurer in pursuance of the Municipal Securities Act of 1908.

Dated this Eighteenth day of March, 1909.

(Signed) James Leitch,
Chairman of the Ontario Railway and Municipal Board.

(Signed) A. B. Ingram,
Vice-Chairman.

(Signed) H. N. Kittson,
Member.

Procedure File No. 445.

Re Bill (No. 33) respecting the City of Hamilton.

March 10. Above Bill received under Rule of the House No. 61a.

March 10. Letter to City Clerk for Auditor's report, &c.

March 11. Board appoints 12th inst. at 3 P.M. to receive deputation from Hamilton.

March 12. 3 p.m. Deputation heard.

March 15. Report made to House.

To the Honourable, the Legislative Assembly of the Province of Ontario, in Parliament assembled:—

The undersigned have had under consideration Bill (No. 33), intituled, "An Act respecting the City of Hamilton," and the petition therefor.

The Board has made enquiry into the allegations set out in the Bill and into all other matters which the Board deem necessary in connection therewith, and beg to report that it is reasonable that the part of the said Bill which relates to the matters mentioned in Rule 61a of the Legislative Assembly do pass into law.

Dated this Fifteenth day of March, 1909.

(Signed) James Leitch,
Chairman of the Ontario Railway and Municipal Board.

(Signed) A. B. Ingram,
Vice-Chairman.

(Signed) H. N. Kittson,
Member.

PROCEDURE FILE NO. 446.

Re Bill (No. 42) Respecting the Town of Smith's Falls.

March 10. Above Bill received under Rule of House No. 61a.

March 10. Letter to Alex. Bruce, K.C., for Auditor's report, &c.

March 13. Interview with Mr. Bruce, enquiry into financial conditions and form of Bill.

March 18. Interview with Mr. Bruce.

March 18. Report transmitted to House.

To the Honourable, the Legislative Assembly of the Province of Ontario, in Parliament Assembled:—

The undersigned has had under consideration Bill (No. 42) intituled "An Act respecting the Town of Smiths Falls," and the Petition therefor.

The Board has made enquiry into the allegations set out in the Bill and into all other matters which the Board deem necessary in connection therewith, and beg to report that it is reasonable that such Bill do pass into law.

Dated this Eighteenth day of March, 1909.

(Sgd.) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

(Signed) A. B. INGRAM,
Vice-Chairman.

(Signed) H. N. KITTSON,
Member.

PROCEDURE FILE NO. 447.

In the Matter of the application of part of the Township of Barton for Annexation to the City of Hamilton.

March 10. Petition for annexation filed.

May 22. On application of Counsel for City of Hamilton, Tuesday, June 22, at 2.30 p.m., fixed for hearing, herein.

June 2. Resolution of Hamilton City Council affirming expediency of Annexation filed.

June 9. Appointment issued for hearing on 22nd inst. at 2.30 p.m.

June 22. 2.30 p.m. Hearing pursuant to appointment. Scrutiny by Secretary of Petitions and Counter Petitions filed (including those filed to-day) directed by the Board and hearing adjourned sine die pending scrutiny (two days' notice to be given of next date for hearing).

This application was not further proceeded with, Applicants feeling that Petition was probably not sufficiently signed.

PROCEDURE FILE NO. 448.

In the Matter of the application of the Town of Fort Francis for approval of By-law for the issue of debentures to amount of $20,500 (with interest at 5%) for the extension of its Waterworks System.

March 11. Application and material filed, considered and approved.

March 11 Order.

Upon the application of the above named Corporation, and upon reading the Notice of Application filed by Messrs. Aylesworth, Wright, Moss & Thompson, Solicitors for the Applicants, the statutory declaration of Herbert Williams, Mayor; William Herbert Elliott, Clerk, and William James Clark, Treasurer, of the said Town, and the copy of the said By-law, filed.

The Board Orders that the said By-law of the Municipal Corporation of the Town of Fort Francis, intituled, "By-law No. To authorize the issue of Debentures of the Town of Fort Francis to the amount of ($20,500.00) Twenty thousand, five hundred dollars, bearing interest at the rate of Five per cent. per annum, from the First day of April, 1909, and payable in Thirty equal annual instalments of combined principal and interest from that date, for the purpose of extending the Town Waterworks System," be and the same is hereby approved.

(L.S.) (Signed) A. B. INGRAM,
Vice-Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 449.

In the Matter of the application of the Port Arthur and Fort William Electric Railway for the approval under Section 221 of the Ontario Railway Act, 1906, of Donald MacLean as Examiner of Motormen for said Railway.

March 11. Application and material filed, considered and approved.

March 11. Order.

Upon the application of the Port Arthur and Fort William Electric Railway for the approval of Donald MacLean, of the City of Port Arthur, in the District of Thunder Bay, Railway Inspector, as Examiner of Motormen for the Applicants, and upon reading the affidavit of the said Donald MacLean, and the other material, filed.

The Board orders that the appointment of the said Donald MacLean, as Examiner of Motormen for the said the Port Arthur and Fort William Electric Railway, be and the same is hereby approved under and in pursuance of Section 221 of "The Ontario Railway Act, 1906."

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 450.

In the matter of the application of the Village of Athens for validation of its By-laws Nos. 156, 157 and 158 (158 being a By-law consolidating By-law 156 and 157) and the debentures thereunder ($8,574.82 for granolithic sidewalks).

March 17. Application and By-laws filed, letter to Applicants explaining procedure and with draft forms for material to be filed.

March 24. Application and material, with affidavits, filed, considered and approved. Order to issue on or after April 1st, 1909.

March 24. Notice to applicants accordingly.

PROCEDURE FILE NO. 451.

Re Bill (No. 163) An Act respecting the Town of Aurora.

March 18. Above Bill received under Rule of the House No. 61a.

March 26. 3 P.M. Interview by appointment with deputation from Aurora.

March 31. Affidavit of Town Clerk of Aurora filed.
March 31. Report prepared and dispatched to House.

To the Honourable, the Legislative Assembly of the Province of Ontario in Parliament assembled:—

The undersigned have had under consideration Bill (No. 163), intituled, "An Act respecting the Town of Aurora" and the Petition therefor. The Board have made enquiry into the allegation set out in the Bill and to all other matters which the Board deem necessary in connection therewith, and beg to report that it is reasonable that the said Bill should pass into law with the following addition to section 3 thereof: After the word "discharged" at the end of section 3 the following should be added: "Or the Debentures may be issued with coupons for the interest and in such case a sinking fund, sufficient to pay the principal at maturity, shall be provided annually and shall be paid to the Treasurer of Ontario pursuant to the Ontario Municipal Securities Act, 1908."

Dated the 31st day of March, 1909.

(Sgd.) James Leitch,
Chairman of the Ontario Railway and Municipal Board.
(Signed) H. N. Kittson,
Commissioner.

Procedure File No. 452.

In the matter of the application by the Grand Trunk Pacific Railway Company for a certificate approving payment of Ontario Subsidy on Mile 122 to Mile 188.16 (Lake Superior Junction) of its Lake Superior Branch. (See P. F. 69 *re* certificate approving mile 1-122).

March 22. Application filed.
March 22. Plans and profiles filed.
April 13. Board's Engineer's report on inspection filed.

July 9. Company applies for Order and certificate for payment of Subsidy and agrees to pay Board's Inspecting Engineer's fees. Application considered and approved. Order.

Toronto, April 12th, 1909.

James Leitch, Esq., Chairman, Ontario Railway and Municipal Board, Parliament Buildings, Toronto, Ont.

Dear Sir,—In the matter of the application of the Grand Trunk Pacific Railway Company, under Statutes of Ontario 4 Edward VII., for payment of the subsidy under Act on 2.56 miles from the C. P. Ry. crossing, Fort William, to the terminal mile 0.00 mile 2.56, and on 66.16 miles from mile 122 to mile 188.16 at the Junction.

Complying with your instructions of April 3rd, I examined the Grand Trunk Pacific Railway, from mileage 122 to mileage 188.16, in company with Mr. E. V. Johnson, Chief Engineer of the Railway Department, Ottawa, and am of the opinion that it is suitable for traffic between these points, and that the passenger and freight stations are properly located, and are sufficient for the accommodation of the public for many years to come.

There are in this 66.16 miles, eleven stations (exclusive of one, temporarily in use as a Water Tank). The average distance being some 6.01 miles apart, and each station has a siding 3,500 feet in length.

I may say that this work is, at least in some respects, better than is required by the specifications, is of the best workmanship and material and is throughout of a substantial character.

I also inspected the 2.56 miles from the C.P.R. crossing at Fort William to the terminal mile 0.00, and do not regard it as suitable for traffic. It is only laid with temporary rail for hauling construction material, and is not brought to grade nor ballasted.

The Steel Swing Bridge across the Kam River, within this mileage, is a monument to engineering skill and construction, and cost without approaches some $230,000.

Respectfully submitting the above, I am,

Yours very truly,
(Signed) J. F. H. Wyse.

Upon the application of the Grand Trunk Pacific Railway Company for the subsidy due under 4 Edward VII., Chapter 18 (Ontario) as amended by 6 Edward VII., Chapter 19, Section 40 (Ontario) on the said portion of 66.16 miles of their line of railway commencing at the distance of 122 miles from Fort William and extending to 188.16 miles from Fort William, being at the intersection of the said line of railway with the main line of the Eastern Division of the Grand Trunk Pacific Railway, upon examination of the plans and profiles of the completed railway filed with the Board, and upon reading the report of John F. H. Wyse, Esquire, Consulting Engineer, dated April 12th, 1909, and filed in the office of this Board, and upon reading the former Orders of this Board bearing date 23rd day of February, A.D. 1907, and 5th day of January, A.D. 1909.

The Board hereby certifies and declares that the Grand Trunk Pacific Railway Company have furnished such information as to location and plans of passenger and freight stations on the line of its railway from mile 122 to mile 188.16 at the intersection as aforesaid as required by this Board, and have complied with the directions of this Board for the erection of such stations, the number of the same, and the intervals at which stoppages shall be made at such stations for the accommodation of the public.

And this Board further certifies that the Grand Trunk Pacific Railway Company have filed with the Honourable the Treasurer of the Province of Ontario, representing His Majesty the King, an Agreement called for and required by Sections 3, 20, 21 and 22 of the said Act 4 Edward VII., Chapter 18.

And this Board further certifies that the said Company has equipped and is operating its said line of railway with railway supplies and rolling stock of Canadian manufacture.

And this Board further certifies that the said Company is entitled to be paid the subsidy provided by the said Act (as amended) upon the aforesaid 66.16 miles of its said line of railway.

And the Board orders that the said Company shall pay the fees anad expenses of the said Engineer, John F. H. Wyse, amounting to $280.05, and also the sum of $10.00 for stamps on this Order.

(L.S.) (Signed) James Leitch,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 453.

In the matter of the application by the Grand Trunk Pacific Railway Company for a certificate approving payment of Ontario Subsidy on Mile 0-2.56 (Thunder Bay Terminals) of its Lake Superior Branch. (See P. Fs. 69 and 452.)

March 30. Application filed.

March 31. Plan and profile filed (1 linen and 1 blue print.)

April 13. Board's Engineer's Report on inspection filed. (See P. F. 452.)

PROCEDURE FILE NO. 454.

In the matter of the application of the Town of Prescott for an order approving By-law No. 613, increasing the rate of interest on the unmatured debentures authorized by By-laws Nos. 570 and 571 consolidated by By-law No. 572 of said Corporation.

March 31. Application and material, filed, considered and approved.

March 31. Order.

Upon the application of the said Corporation and upon reading certified copies of By-laws Nos. 570, 571 and 572 and a duplicate of said By-law No. 613, and the affidavits of Louis Hasbrook Daniels, Mayor, and Frederick Row, Treasurer of the said Town, all this day filed, and it appearing thereby that three of the debentures authorized by the said By-law No. 572 have been paid and that the remaining seventeen debentures thereby authorized cannot be disposed of except at a discount involving a substantial reduction on the amount required to be provided for.

The Board orders that the said By-law No. 613 intituled "A By-law to amend By-laws Nos. 570, 571 and 572 respecting Local Improvement Debentures," a duplicate whereof is hereto annexed, be and the same is hereby approved under the provisions of the Consolidated Municipal Act, 1903, Section 338 (*b*) (being 4 Edward VII. Cap. 22, Section 11) and that debentures in accordance with such By-law No. 613 be issued in the place of the seventeen debentures heretofore issued under said By-law No. 572 which have not yet come due, on such last mentioned debentures being surrendered to the said Corporation and cancelled.

(Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 455.

In the matter of the application of the Town of Prescott for an Order approving By-law No. 614, increasing the rate of interest on the unmatured debentures authorized by By-laws Nos. 583 and 584 consolidated by By-law No. 585 of said Corporation.

March 31. Application and material filed, considered and approved.

March 31. Order.

Upon the application of the said Corporation and upon reading certified copies of By-laws Nos. 583, 584 and 585 and a duplicate of said By-law No. 614, and the affidavits of Louis Hasbrook Daniels, Mayor, and Frederick Row, Treasurer of the said Town, all this day filed, and it appearing thereby that two of the debentures authorized by the said By-law No. 585 have been paid and that the remaining eighteen debentures thereby authorized cannot be disposed of except at a discount involving a substantial reduction on the amount required to be provided for.

The Board orders that the said By-law No. 614 intituled "A By-law to amend By-laws Nos. 583, 584 and 585 respecting Local Improvement Debentures," a duplicate whereof is hereto annexed, be and the same is hereby approved under the provisions of the Consolidated Municipal Act, 1903, Section 338 (*b*) (being 4 Edward VII. Cap. 22, Section 11) and that debentures in accordance with such By-law No. 614 be issued in the place of the eighteen debentures heretofore issued under said By-law No. 585 which have not yet become due, on such last mentioned debentures being surrendered to the said Corporation and cancelled.

(Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 456.

In the matter of the application of the Town of Prescott for an Order approving By-law No. 615 increasing the rate of interest on the unmatured debentures authorized by By-laws Nos. 593 and 594 consolidated by By-law No. 595 of the said Corporation.

March 31. Application and material filed, considered and approved.

March 31. Order.

Upon the application of the said Corporation and upon reading certified copies of By-laws Nos. 593, 594 and 595 and a duplicate of said By-law No. 615, and the affidavits of Louis Hasbrook Daniels, Mayor, and Frederick Row, Treasurer of the said Town, all this day filed, and it appearing thereby that one of the debentures authorized by the said By-law No. 595 has been paid and that the remaining nineteen debentures thereby authorized cannot be disposed of except at a discount involving a substantial reduction on the amount required to be provided for.

The Board orders that the said By-law No. 615 intituled "A By-law to amend By-laws Nos. 593, 594 and 595 respecting Local Improvement Debentures," a duplicate whereof is hereto annexed, be and the same is hereby approved under the provisions of the Consolidated Municipal Act, 1903, Section 338 (*b*) (being 4 Edward VII., Cap. 22, Section 11) and that debentures in accordance with such By-law No. 615 be issued in the place of the nineteen debentures heretofore issued under said By-law No. 595 which have not yet become due, on such last mentioned debentures being surrendered to the said Corporation and cancelled.

(Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 457.

In the matter of the application of the City of Peterborough for an order validating By-law No. 1437, to raise by way of loan the sum of $1,714.32 to pay the proportion of the cost of the sewers in said By-law mentioned.

April 1. Application and material filed.

April 14. Application and material considered and approved.

April 14. Order.

Upon the application of the said Corporation and upon reading the notice of application filed by E. H. D. Hall, Solicitor for the Applicants, the certified copy of the said By-law, the affidavits of Henry Rush, Mayor, and Simon Robert Armstrong, Clerk, of the said City, and the other material, filed.

The Board orders that the said By-law Number 1437, intituled, "By-law Number 1437. A By-law to provide for borrowing money by the issue of debentures to pay the proportion of the cost of sewers on the streets and parts of streets in the City of Peterborough herein mentioned payable by the Corporation of the said City," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the City of Peterborough and declaring the same valid and binding and that its validity is not open to question in any Court on any ground whatever, and that the debentures issued under the authority of and in accordance with the said by-law be also approved and that the same be certified as provided by the said Act.

(Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE No. 458.

In the matter of the application of the City of Peterborough for an order validating its By-law No. 1438, to raise by way of loan the sum of $5,023.22 to pay the proportion of the cost of the sewers in said By-law mentioned.

April 1. Application and material filed.
April 14. Application and material considered and approved.
April 14. Order.

Upon the application of the said Corporation and upon reading the Notice of Application filed by E. H. D. Hall, Solicitor for the Applicants, the certified copy of the said By-law, the affidavits of Henry Rush, Mayor, and Simon Robert Armstrong, Clerk, of the said City, and the other material, filed.

The Board orders that the said By-law Number 1438, intituled, "By-law Number 1438. A By-law to provide for borrowing money by the issue of debentures secured by local special rates on the properties fronting or abutting on the streets and parts of streets in the City of Peterborough herein mentioned for the construction of sewers thereon," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the City of Peterborough and declaring the same valid and binding and that its validity is not open to question in any Court on any ground whatever, and that the debentures issued under the authority of and in accordance with the said By-law be also approved and that the same be certified as provided by the said Act.

(Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE No. 459.

In the matter of the application of the City of Peterborough for an order validating its By-law No. 1439 to raise by way of loan the sum of $8,133.95 to pay the proportion of the cost of the sidewalks in said By-law mentioned.

April 1. Application and material filed.

April 14. Application and material considered and approved.

April 14. Order.

Upon the application of the said Corporation and upon reading the Notice of Application filed by E. H. D. Hall, Esquire, Solicitor for the Applicants, the certified copy of the said By-law, the affidavits of Henry Rush, Mayor, and Simon Robert Armstrong, Clerk, of the said City, and the other material, filed.

The Board orders that the said By-law Number 1439, intituled, "By-law Number 1439. A By-law to provide for borrowing money by the issue of debentures secured by local special rates on the properties fronting or abutting on the streets and parts of streets in the City of Peterborough herein set out and described for the construction of granolithic sidewalks thereon," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the City of Peterborough and declaring the same valid and binding and that its validity is not open to question in any Court on any ground whatever, and that the debentures issued under the authority of and in accordance with the said By-law be also approved and that the same be certified as provided by the said Act.

(Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE No. 460.

In the matter of the application of the City of Peterborough for validation of its By-law No. 1440, to raise by way of loan the sum of $10,236.66 to pay the proportion of the cost of the sidewalks in said By-law mentioned.

April 1. Application and material filed.

April 14. Application and material considered and approved.

April 14. Order.

Upon the application of the said Corporation and upon reading the Notice of Application filed by E. H. D. Hall, Solicitor for the Applicants, the certified copy of the said By-law, the affidavits of Henry Rush, Mayor, and Simon Robert Armstrong, Clerk, of the said City, and the other material, filed.

The Board orders that the said By-law Number 1440, intituled, "By-law Number 1440. A By-law to provide for borrowing money by the issue of debentures to pay the proportion of the cost of granolithic sidewalks payable by the Corporation of the City of Peterborough on the streets and parts of streets in the City of Peterborough herein set out and described," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the City of Peterborough and declaring the same valid and binding and that its validity is not open to question in any Court on any ground whatever, and that the debentures issued under the authority of and in accordance with the said By-law be also approved and that the same be certified as provided by the said Act.

(Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE No. 461.

In the matter of the application of the Town of Waterloo for an order validating its By-law No. 352, to raise by way of debentures the sum of $5,000 to purchase a road roller and to construct cement floors on bridges.

April 2. Application and material filed, considered and approved.

April 2. Order.

Upon the application of the said Corporation, and upon reading the certified copy of the said By-law, the statutory declarations of John B. Fischer, Mayor, and Arthur Byron McBride, Clerk, of the said Town, and the other material, filed.

The Board orders that the said By-law Number 352, intituled, "Town of Waterloo, By-law No. 352. To authorize the issue of debentures for $5,000 to purchase a road roller for the Town of Waterloo and to construct cement floors on bridges in the said Town," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the Town of Waterloo and declaring the same valid and binding and that its validity is not open to question in any Court on any ground whatever, and that the debentures issued under the authority of and in accordance with the said by-law be also approved and that the same be certified as provided by the said Act.

(Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE No. 462.

In the matter of the application of the Town of Waterloo for an order validating its By-law No. 354, to provide for the issue of Local Improvement Debentures to the amount of $4,360.55 to pay the cost of certain sewers.

April 2. Application and material filed, considered and approved.

April 2. Order.

Upon the application of the said Corporation, and upon reading the certified copy of the said By-law, the statutory declarations of Arthur Byron McBride, Clerk of the said Town, and the other material, filed.

The Board orders that the said By-law Number 354, intituled, "Town of Waterloo. By-law No. 354. To provide for the issue of Local Improvement Debentures of the Corporation of the Town of Waterloo to the amount of $4,360.55 to defray the costs of certain sewers laid down in the year 1908 as Local Improvements," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the Town of Waterloo and declaring the same valid and binding and that its validity is not open to question in any Court on any ground whatever, and that the debentures issued under the authority of and in accordance with the said By-law be also approved and that the same be certified as provided by the said Act.

(Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 463.

In the matter of the application of the Township of McNab for an Order validating By-law No. 17 to raise by way of loan the sum of $20,000 to pay an existing floating debt to repair the "Clay Bank Bridge" and rebuild two other bridges.

April 3. Application and material filed, considered and approved.

April 3. Order.

Upon the application of the said Corporation and upon reading the notice of application, the certified copy of the said by-law, the statutory declarations of John Stewart, Reeve, and John McGregor, Clerk, of the said Township, and the other material, filed.

The Board orders that the said By-law No. 17, intituled, "By-law No. 17. A By-law to raise by way of loan the sum of twenty thousand dollars ($20,000) for the purposes therein mentioned," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the Township of McNab and declaring the same valid and binding and that its validity is not open to question in any Court on any ground whatever, and that the debentures issued under the authority of and in accordance with the said By-law be also approved anad that the same be certified as provided by the said Act.

(Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 464.

In the matter of the application of certain ratepayers of the Township of Orillia in the County of Simcoe for an order for annexation of a certain portion of the said Township to the Town of Orillia.

April 7. Petition against proposed annexation filed by J. H. Hammond, Esq., of Orillia.

April 15. Application for annexation filed.

April 17. Resolution and Petition for Annexation filed.

April 21. Notice of Resolution and Petition and of hearing same on May 5th, 1909, at 2.30 p.m., issued and despatched to Petitioners' Solicitor for service and publication. May 12, at 10.30 a.m., at Orillia, fixed for hearing.

May 12. Hearing at Council Chamber, Town Hall, Orillia, pursuant to appointment. Annexation decreed on terms as arranged.

July 7. Formal Order settled pursuant to appointment and arrangement with Counsel.

July 7. Order.

Upon the application of the said applicants and upon reading the petitions of J. A. Fowlie and others, the affidavits of John R. Reid and Joseph C. Wallace, and the resolution of the Council of the corporation of the Town of Orillia passed on the fifth day of April, A.D. 1909, and upon hearing the evidence that was adduced and what was alleged by the Counsel for the applicants and the Town of Orillia, and by Counsel for the ratepayers opposed to such application.

The Board doth order and proclaim that the lands and premises in the Township of Orillia (Southern Division) mentioned in the said petitions and being described as follows, namely:—"All that portion of the Township of Orillia (Southern Division) in the County of Simcoe lying adjacent to the Town of Orillia and bounded on the north by the Coldwater Road, on the west by the road allowance between the Third and Fourth Concessions of the said Township of Orillia (Southern Division), and on the south and east by the boundaries of the said Town be and the same are hereby annexed to the Town of Orillia, the said annexation to take effect on the first day of July, A.D. 1909, upon the terms and conditions following, that is to say:—

1. That the assessment of all the properties in the said district to be annexed shall be fixed for a period of ten years from the first day of January, A.D. 1909, at the same amounts as shewn on the assessment roll for the Township of Orillia for the year 1908, except as hereinafter provided, and that the tax rate shall be the same from year to year as in the remainder of the said Town during the said period of ten years.

2. That any improvements made or new buildings erected since the said assessment of 1908 was made or during the term of fixed assessment as above provided or not included in the said assessment of 1908 shall be assessed at one-third of the actual value of such improvements of buildings and such one-third added to the said fixed assessment.

3. The water and light extensions in such territory annexed shall be made in accordance with the present by-law of the said Town, namely:—As to water, when the annual revenue from the proposed extension will be ten per cent. of the cost of installation, and as to light, when the annual revenue will be twenty-five per cent. of the cost of installation.

4. That the street lighting and hydrant services shall be extended in such territory annexed as the general water and light extension are made.

5. That the water and light rates charged in the said territory annexed shall be the same as in the rest of the said Town.

6. That the monies raised by the local rate in the said district to be annexed shall, until the expiration of the said period of ten years from the first day of January, A.D. 1909, all be expended within the boundaries of such district, but the cost of sidewalks on the Coldwater Road shall not be included in estimating what has been so expended.

7. That citizens in the district to be annexed shall after annexation be entitled to all the rights and privileges of citizens in the said Town as at present constituted.

8. That school matters be adjusted as provided by the Public Schools Act and other statutes in that behalf.

9. That the district hereby annexed shall form a separate or Fourth Ward of the said Town of Orillia and shall be known as Ward Number Four.

10. That the lands within the said district hereby annexed shall be assessed in the said Town of Orillia for the year 1909, to the persons and at the amounts shewn on the assessment roll of the said Township of Orillia (Southern Division) for the year 1908 subject only to the right of appeal given by the Ontario Voters' Lists Act, and such assessments shall be added to and form part of the assessment and collectors' rolls of the Town of Orillia for the year 1909 and shall thereupon be as valid and effectual as if made in the usual way.

11. The taxes and rates imposed for the year 1909 upon any of the lands included in the territory hereby annexed shall be imposed and collected by and belong to the said Town of Orillia, but the taxes and rates imposed upon the said lands for the year 1908 or any prior year which may still remain unpaid shall be collected by and belong to the Township of Orillia and all rights or remedies for

the collection of the same, including distress for non-payment, or if necessary, the sale of the said lands or any of them shall remain in the Township of Orillia or the County of Simcoe for the benefit of said Township as though this order had not been made.

12. The said Town of Orillia shall pay to the said Township of Orillia the sum of Thirty dollars out of the taxes imposed in the said territory hereby annexed for the year 1909, as compensation for the monies heretofore expended by the said Township in the territory hereby annexed in the current year and the said Town shall also pay to the said Township such sums as may be necessary to pay the proportion payable by said lands to be annexed of the debenture and coupons accruing due in 1909, and payable by former School Section Number one of said Township of Orillia (Southern Division) and shall also pay the County of Simcoe or shall indemnify the said Township against payment of the County rate imposed upon or in respect of the lands in the said district for the year 1908 and all other adjustments between the Town of Orillia and the Township of Orillia shall be made as of the first day of January, A.D. 1909.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 465.

In the matter of the application of the Township of Hudson for an Order validating its By-law No. 3 to authorize the issue of debentures to the amount of $5,000 (with interest) for building, repairing and improving the highways of the said Township.

April 13. Application and material filed, considered and approved.

April 13. Letter to Applicants' Clerk that Order cannot be issued until after May 5, 1909, but enclosing appointment for hearing for April 21, at 2.30 p.m., in case there be urgent need of earlier validation and with directions for publication of notice of appointment for hearing.

May 6. Amending By-law filed as directed by the Board.

May 6. Order.

Upon the application of the said Corporation, and upon reading the certified copy of the said By-law, the affidavits of Edmund Sackrider, Clerk, and Robert C. Howie, Reeve, of the said Township, and the other material, filed.

The Board orders that the said By-law Number 3, intituled, "By-law No. 3. A By-law to provide for the expenditure of $5,000 in building, repairing and improving the highways of the Township of Hudson," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the Township of Hudson and declaring the same valid and binding and that its validity is not open to question in any Court on any ground whatever, and that the debentures issued under the authority of and in accordance with the said By-law be also approved and that the same be certified as provided by the said Act.

(Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 466.

In the matter of the application of the Village of Burlington to add to its limits part of the Township of Nelson, County of Halton. (Section 16, Consolidated Municipal Act, 1903.)

April 14. Application filed.

April 14. April 29th at 3 p.m. appointed for hearing. Letter to Applicants with directions for notice, etc.

April 29. Hearing pursuant to appointment. Annexation decreed. Hearing adjourned *sine die* so that all parties may arrange terms, if terms not so arranged they will be fixed by the Board.

Nov. 24. On application of Solicitors for Applicants, Board appoints Friday, December 3, 1909, 11.30 a.m., at its Chambers to settle terms of annexation order, so far as Township of Nelson is affected .

Nov. 30. Subpoena *duces tecum* issued to Applicants.

Dec. 3. Session of Board pursuant to appointment to settle terms between Tp. Nelson and Burlington. Board after hearing Counsel directs formal Order to be drawn, and if not assented to by Counsel for all parties, same will be settled by Board on Tuesday, December 21st, 1909, at 11.30 a.m.

Dec. 21. Order for annexation settled in presence of Counsel for all parties. (v. Stenographer's Notes.)

Upon the application of the said Applicants made this day, upon reading the Resolution of the Municipal Council of the Corporation of the said Village of Burlington passed March the fifth, A.D. 1909, the Petition of the said Applicants and upon hearing the Examination of Charles A. Hodgetts, Chief Health Officer of the Province of Ontario and other witnesses, and upon hearing what was alleged by Counsel on behalf of the Applicants the Municipal Corporation of the Village of Burlington, the Municipal Corporation of the Township of Nelson and the Grand Trunk Railway Company;

The Board orders and proclaims that the lands and premises in the Township of Nelson, in the County of Halton described as follows:—Being bounded on the east by the Village of Burlington; on the south by Lake Ontario, on the north by Birch Street to the westerly limits of the right of way of the Grand Trunk Railway Company; thence south to the northerly limit of the lands now owned by C. F. Coleman, being known as Lots 11 and 12 Plan 65, Township of Nelson; thence westerly along the northerly boundary of said C. F. Coleman's lands and a continuation of said boundary in a straight line to the centre of Maple Avenue; thence southerly along the centre of said Maple Avenue to the intersection of Water Street; also and including the entire width of Burlington Beach from the said intersection of Water Street to the line between the Counties of Halton and Wentworth, be and the same are hereby annexed to the Village of Burlington, the said annexation to take effect on, from and after the fifth day of January, A.D. 1910, upon and subject to the following terms and conditions, namely:

1. That the lands so added (save and excepting the lands of the Grand Trunk Railway Company) but not any new building or improvements erected or placed thereon after the twenty-ninth day of April, A.D. 1909, shall remain for the period of twelve years from the first day of May, A.D. 1909 at the same assessed value as the said lands were assessed by the said Township of Nelson for the year 1909, but any new buildings erected or improvements made on any of the lands so added and not included in the assessment for the said year shall be assessed as other properties and under the provisions of the Assessment Act. Provided that any

buildings or improvements omitted from the said assessment roll of 1909 shall be assessed on the basis of the value adopted by the Township of Nelson in similar cases.

2. That all taxes, rates, charges and assessments charged upon the real estate owned by the Grand Trunk Railway Company lying within the said annexed area, also all improvements by way of station building, works and roadbed or renewals thereof or replacing the same as are situated upon the said lands, the same to be determined from the last revised assessment roll for the said Township of Nelson shall have a fixed annual tax for the term of fifteen years, of which the year 1909 will be the first, of thirty-five dollars payable at the same time under the same conditions as taxes are payable under the By-laws of the said Municipal Corporation of the Village of Burlington. Provided, however, that in the event of the existing lease bearing date the first day of September, A.D. 1909, between the said Municipal Corporation of the Village of Burlington and the said Grand Trunk Railway Company whereby Lots Numbers thirty and thirty-one in Benjamin Eager's Survey on Burlington Beach is leased to the said Municipal Corporation of the Village of Burlington being determined this provision for the fixed tax of thirty-five dollars shall at once and from thenceforth cease. And provided further that should the said lease continue for a longer period than the said fifteen years the said taxed rate of thirty-five dollars shall extend and apply during each year, not, however, to exceed the period of thirty years from the date of said lease. Provided, however that all other buildings and improvements now located upon said lands or that shall hereinafter be constructed and located thereon shall be assessed and taxed under the provisions of the Assessment Act.

3. That the Municipal Corporation of the Village of Burlington shall assume the existing debenture debt under By-law Number 529 of the said Municipal Corporation of the Township of Nelson as same stood May 1st, 1909, and the necessary adjustments shall be made.

4. That the said Municipal Corporation of the Township of Nelson shall pay to the said Municipal Corporation of the Village of Burlington the sum of Seven Hundred and Thirty-two 72-100 Dollars on the thirty-first day of December, A.D. 1909 and all rights accruing and all liabilities incurred by By-law No. 491 of the said Municipal Corporation of the Township of Nelson known as a By-law respecting the Toronto and Niagara Power Company to be adjusted to May 1st, 1909, and by By-law No. 421 of the said Municipal Corporation of the Township of Nelson known as a By-law to grant certain privileges to the Ontario Electric Light and Power Company of Canada, shall pass to the said Municipal Corporation of the Village of Burlington.

5. This Order is not intended to affect in any way the asset of the said Township of Nelson known as the Special School Fund, the distribution of which is adjusted by By-law No. 392 of the said Municipal Corporation of the Township of Nelson.

6. That the taxes and rates imposed during the year 1909 or any prior year upon any of the lands included in the territory hereby annexed or upon any ratepayer therein which is not now collected shall be collected by and belong to the said Municipal Corporation of the Township of Nelson and all right to collect the same, including distress for non-payment, or if necessary, the sale of the said lands or any of them, shall remain in the said Township of Nelson as though this order had not been made.

7. That the Revised Assessment of the said Municipal Corporation of the Township of Nelson made in 1909 shall be the assessment for the said annexed area

on which to levy the taxes payable during the year 1910. And for the purpose of the Voter's List the said annexed area shall be added to and become part of Polling Subdivision number two.

8. That the Applicants, the Village of Burlington, shall pay $10.00 for stamps on this order, otherwise the Board makes no order as to costs.

(Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 467.

In the matter of the application of The Peterborough City Trust for leave to invest sinking funds and moneys paid under the Mortgage mentioned in Section 17, Chapter 104, 8 Edw. VII. (Ont.) in Debentures of the City of Peterborough ($14,000 in debentures issued under By-laws 1442 ($10,000) and 1443 ($4,000)).

April 14. Application filed and considered.

April 14. Letter to Applicants' Solicitor with directions as to proceedings to be taken.

PROCEDURE FILE NO. 468.

In the matter of the application of The Ottawa Electric Railway Company for the approval, under Section 221 of The Ontario Railway Act, 1906, of Allan J. Tobin, as an Examiner of Motormen for said Company.

April 22. Application and material filed, considered and approved.

April 22. Order.

Upon the application of The Ottawa Electric Railway Company for the approval under Setcion 221 of "The Ontario Railway Act, 1906," of Allan J. Tobin, of the City of Ottawa, in the County of Carleton, Inspector of the said Company, as an Examiner of Motormen for the said Company, and upon reading the affidavit of James Dewar Fraser, filed,

The Board orders that the appointment of the said Allan J. Tobin as an Examiner of Motormen for the said Company, be and the same is hereby approved, under and in pursuance of Section 221 of "The Ontario Railway Act, 1906."

(L.S.) (Signed) A. B. INGRAM,
Vice-Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 469.

In the matter of the application of the City of Stratford for the approval of its By-law to raise the sum of $12,000 for the extension of its Waterworks System.

April 27. Application and material filed.

April 29. Application and material considered and approved. Order.

Upon the application of the above named Corporation, and upon reading the Notice of Application filed by Messrs. Robertson & Coughlin, Solicitors for the Applicants, the certified copy of the said By-law, and the affidavits of Robert Rigg Lang, Clerk; John Davis Barnett, Chairman of the Board of Water Commissioners, and William Henry Tretheway, Secretary-Treasurer of the said Board of the said City, filed, The Board orders that the said By-law of the Municipal Corporation of the City of Stratford, intituled, "By-law No. 1573, of the City of Stratford. A By-law to raise the sum of Twelve thousand dollars for the purpose of paying the expense of certain extensions and improvements made in respect of the Waterworks of the City of Stratford," be and the same is hereby approved.

(L.S.) (Signed) James Leitch,
Chairman of the Ontario Railway and Municipal Board.

Procedure File No. 470.

In the matter of the application of the Town of Cobalt for an Order validating its By-law No. 53 to authorize the issue of debentures to the amount of $75,000 (with interest at 5%) for the construction of a system of Waterworks and Sewers in said Town.

May 4. Application and material filed, considered and approved.

May 4. Order.

Upon the application of the said Corporation and upon reading the certified copy of the said By-law, the affidavits of Harold E. Sewell, Clerk, and Herman Humphrey Lang, Mayor, of the said Town, and the other material, filed.

The Board orders that the said By-law No. 53, intituled, "By-law No. 53. A By-law to authorize the issue of the debentures of the Town of Cobalt to the amount of $75,000 for the purpose of constructing a system of waterworks and sewers for the said Town of Cobalt," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the Town of Cobalt, and declaring the same valid and binding and that its validity is not open to question in any Court on any ground whatever, and that the debentures issued under the authority of and in accordance with the said By-law be also approved and that the same be certified as provided by the said Act.

(L.S.) (Signed) James Leitch,
Chairman of the Ontario Railway and Municipal Board.

Procedure File No. 471.

In the matter of the application of the Village of Brussels for an Order validating its By-law No. 3, 1909, as amended by By-law No. 9, 1909, to authorize the issue of debentures to the amount of $2,500 for a loan to aid a Chemical Fire Extinguisher Manufactory and general repair shop.

May 5. Application and material filed and considered. Letter to Applicants pointing out defects, &c., thereon.

June 21. Applicants file amending By-law and additional affidavits.

June 21. Order.

Upon the application of the said Corporation and upon reading the certified copy of the said By-law, the affidavits of John Leckie, Reeve, and Finley S. Scott, Clerk, of the said Village, and the other material, filed.

The Board orders that the said By-law No. 3, 1909, intituled, "By-law No. 3, 1909, of the Village of Brussels in the County of Huron. To authorize the

Corporation of the Village of Brussels in the County of Huron to borrow the sum of Twenty-five hundred dollars by issue of debentures to that amount and to loan the same to Walter J. Garside and William James, of the City of London, Manufacturers, for the purpose of purchasing a site or building or to purchase a site and erect a building and equip the same with suitable machinery for the manufacture of Chemical Fire Extinguishers and for a general repair shop and for working capital to run the same for a term of ten years from the date this By-law takes effect in the said Village of Brussels in the County of Huron," as amended by the said By-law No. 9, 1909, intituled, "By-law No. 9, 1909, of the Village of Brussels, being a by-law to amend By-law No. 3, 1909, of the Village of Brussels, in the County of Huron," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that certificates be granted approving the said By-laws of the Municipal Corporation of the Village of Brussels, and declaring the same valid and binding and that their validity is not open to question in any Court on any ground whatever, and that the debentures issued under the authority of and in accordance with the said By-laws be also approved and that the same be certified as provided by the said Act.

(L.S.) (Signed) JAMES LEITCH,

Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 472.

May 5. Duplicate original of Indenture, dated the first day of March, A.D. 1909, between The Toronto Suburban Railway Company of the First part, and The National Trust Company, Limited (trustees for proposed Mortgage Bond issue of $30,000 per mile) deposited at 11.35 A.M., this 5th day of May, A.D. 1909, under 6 Edward VII. (Ontario), cap. 30, sec. 44, sub. sec. 4.

PROCEDURE FILE NO. 473.

In the matter of the application of the Town of Brockville for an order validating its By-law No. B428, to authorize the issue of debentures to the amount of $20,000.00 (with interest at 4%) to bonus a Hat Factory at Brockville.

May 7. Application and material filed and considered, letter for further proofs.

May 13. Further proofs filed, considered and approved.

May 13. Order.

Upon the application of the said Corporation and upon reading the Notice of Application filed by Messrs. Hutcheson & Fisher, Solicitors for the Applicant, the certified copy of the said By-law, and the affidavits of George K. Dewey, Clerk, and William H. Kyle, Mayor, of the said Town, and other material, filed,

The Board orders that the said By-law No. B428, intituled, "By-law B428. By-law to grant a Bonus for the establishment of a Hat Factory at Brockville," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the Town of Brockville, and declaring the same valid and binding and that its validity is not open to question in any Court on any ground whatever, and that the debentures issued under the authority of and in accordance with the said By-law be also approved and that the same be certified as provided by the said Act.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 474.

In the matter of the application of the Town of Brockville, under Section 384 of The Consolidated Municipal Act, 1903, as amended by sub-section 2 of Section 11 of The Municipal Amendment Act, 1909, for an order extending the time for issuing debentures under By-law No. B428 of said Town.

May 7. Application and material filed and considered, letter for further proofs.

May 13. Additional proofs filed, considered and approved.

May 13. Order.

Upon the application of the said Corporation and upon reading the Notice of Application filed by Messrs. Hutcheson & Fisher, Solicitors for the Applicant, the certified copy of the said By-law, the affidavits of George K. Dewey, Clerk, and William H. Kyle, Mayor, of the said Town, and the other material, filed.

The Board orders that in pursuance of the provisions of Section 384 of "The Consolidated Municipal Act, 1903," as amended by Section 11 of "The Municipal Amendment Act, 1909," the time for the issue of the debentures authorized by By-law No. B428 of the said Corporation of Brockville, intituled, "By-law No. B428. By-law to grant a Bonus for the establishment of a Hat Factory at Brockville," be and the same is hereby extended up to and inclusive of the Fifteenth day of July, A.D. 1909.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 475.

In the matter of the application of the Town of Brockville for Validation (under 8 Edward VII., Cap. 51), of its Local Improvement Debenture By-laws B587 and B588, as consolidated by By-law No. B589 ($6,717.12).

May 7. Application and material filed.

May 13. Further material filed, considered and approved.

May 13. Order.

Upon the application of the said Corporation and upon reading the Notice of Application filed by Messrs. Hutcheson & Fisher, Solicitors for the Applicant, the certified copy of each of the said By-laws, and the affidavits of George K. Dewey, Clerk, and William H. Kyle, Mayor, of the said Town, and the other material, filed.

The Board orders that the said By-law No. B587, intituled "By-law No. B587, By-law to provide for the issue of Debentures to pay the amounts chargeable against the Corporation for the construction of certain Granolithic Sidewalks," and that the said By-law No. B588, intituled "By-law No. B588. By-law to provide for the issue of Local Improvement Debentures of the Corporation of the Town of Brockville in respect of certain Granolithic Sidewalks and the Special Assessments therefor," and that the said By-law No. B589, intituled "By-law No. B589. By-law to consolidate the Debentures mentioned in certain By-laws and to provide for the issue of such debentures," be and the same are hereby approved and validated.

And it is ordered. pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-laws of the Municipal Corporation of the Town of Brockville, and declaring the same valid and binding and that their validity is not open to question in any Court on any ground whatever, and that the debentures issued under the authority of and in accordance with the said By-laws be also approved and that the same be certified as provided by the said Act.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 476.

In the matter of the application of the Town of Brockville under Section 11 of The Municipal Amendment Act, 1909, for extension of its Debenture issue period under its By-laws B587, 588 and 589. (See P. F. 475).

May 7. Application and material filed.
May 13. Material completed.
May 13. Order.

Upon the application of the said Corporation and upon reading the Notice of Application filed by Messrs. Hutcheson & Fisher, Solicitors for the Applicant, the certified copy of each of the said By-laws, the affidavits of William H. Kyle, Mayor, and George K. Dewey, Clerk, of the said Town, and the other material. filed,

The Board orders that in pursuance of the provisions of Section 384 of "The Consolidated Municipal Act, 1903," as amended by Section 11 of "The Municipal Amendment Act, 1909," the times for the issue of the debentures authorized by By-laws Nos. B587, B588 and B589 of the said Corporation of Brockville, intituled, respectively "By-law No. B587. By-law to provide for the issue of Debentures to pay the amounts chargeable against the Corporation for the construction of certain Granolithic Sidewalks." "By-law No. B588. By-law to provide for the issue of Local Improvement Debentures of the Corporation of the Town of Brockville in respect of certain Granolithic Sidewalks and the Special Assessments therefor." "By-law No. B589. By-law to consolidate the Debentures mentioned in certain By-laws and to provide for the issue of such Debentures," be and the same are hereby extended up to and inclusive of the Fifteenth day of July, A.D. 1909.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 477.

In the matter of the application of the City of Guelph for the approval of its By-law No. 697 for the issue of debentures to the amount of $8,984.00 for the extension of its Waterworks System.

May 6. Application and material filed, and Applicants' Counsel, Donald Guthrie, Esq., K.C., heard by Board. Order.

Upon the application of the above named Corporation, and upon reading the Notice of Application, the certified copy of the said By-law, and the affidavits of George Hastings, Mayor, and Thomas James Moore, Clerk, of the said City, filed,

The Board orders that the said By-law No. 697 of the Municipal Corporation of the City of Guelph, intituled "The Corporation of the City of Guelph. By-law No. 697. A By-law to provide for the issue of debentures to the amount of $8,984.00 for the purpose of paying for extensions to the Guelph Waterworks," be and is hereby approved.

(L.S.) (Signed) James Leitch,
Chairman of the Ontario Railway and Municipal Board.

Procedure File No. 478.

In the matter of the application of the Village of Glencoe for an Order validating its By-law No. 182, to authorize the issue of debentures to the amount of $11,000 (with interest at 5%) to establish an Electric Light Plant in said Village.

May 10. Application and material filed and considered.

May 10. Letter to Applicants' Solicitors for explanation of certain statements in proof filed.

May 13. Explanatory affidavits received.

May 14. Order.

Upon the application of the said Corporation, and upon reading the Notice of Application, the certified copy of the said By-law, the affidavits of William Duncan Moss, Reeve, and George Wilson, Clerk, of the said Village, and the other material, filed,

The Board orders that the said By-law No. 182, intituled "By-law No. 182. A By-law to provide for the expenditure of $11,000 for establishing an Electcric Light Plant in the Village of Glencoe, and to authorize the issue of Debentures of the Village of Glencoe to the amount of $11,000 for the purpose of raising the said sum," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the Village of Glencoe, and declaring the same valid and binding and that its validity is not open to question in any Court on any ground whatever, and that the debentures issued under the authority of and in accordance with the said By-law be also approved and that the same be certified as provided by the said Act.

(L.S.) (Signed) James Leitch,
Chairman of the Ontario Railway and Municipal Board.

Procedure File No. 479.

Re First ten miles of Dunnville, Wellandport and Beamsville Railway.

May 10. Plan, Profile and Book of Reference certified under Section 59, Ontario Railway Act, 1906.

PROCEDURE FILE No. 480.

In the matter of the application of the Town of Thessalon for an Order validating its By-law No. 11 (1909) to authorize the issue of debentures to the amount of $20,000 for the erection of a new public school.

May 13. Application and material filed and returned for further necessary proofs.

June 21. Material completed, considered and approved.

June 21. Order.

Upon the application of the said Corporation, and upon reading the duplicate of the said By-law, the affidavits of Daniel J. Sandle, Mayor, Edward C. Bridge, Treasurer, and Charles Arthur Batson, Clerk, of the said Town, and the other material, filed.

The Board orders that the said By-law Number 11 (1909), intituled, "By-law No. 11, year 1909 of the Corporation of the Town of Thessalon. To raise the sum of $20,000 by the issue of debentures for the erection of a new public School for Union School Section Number One, Town and Township of Thessalon," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the Town of Thessalon, and declaring the same valid and binding and that its validity is not open to question in any Court on any ground whatever, and that the debentures issued under the authority of and in accordance with the said By-law be also approved and that the same be certified as provided by the said Act.

(Sgd.) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE No. 481.

In the matter of the application of the Town of Whitby for approval of its By-law No. 752 for issue of debentures, $16,000 to pay for extension of Waterworks and Electric Light Systems.

May 13. Application and material filed.

May 19. Mayor and Councillors heard by Board and Order made.

Upon the application of the above named Corporation and upon hearing what was alleged by Counsel for the Applicants and by the Mayor and certain members of the Municipal Council of the said Town and upon reading the certified copy of the said By-law, the statutory declaration of Joseph White, Clerk and Treasurer of said Town, and William J. Luke, Secretary of the Waterworks and Electric Light Commission, and other material, filed,

The Board orders that said By-law Number 752 of the Municipal Corporation of the Town of Whitby, intituled, "By-law No. 752. A By-law of the Council of the Corporation of the Town of Whitby to provide for the issue of Debentures to the amount of $16,000 to pay for the extension of waterworks mains and service pipes and to provide funds for extending the intake pipe in connection with the Waterworks System of the Town of Whitby and to pay for the extension of the wires and other appliances in connection with the Electric Lighting System of the Town of Whitby," be and the same is hereby approved.

(L.S.)

(Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE No. 482.

In the matter of the application of the Town of Durham for an Order validating its By-law No. 552 to authorize the issue of debentures to the amount of $11,000, for the purpose of taking up debentures to amount of $10,000, and to pay off a balance remaining due on the construction of a bridge across the Saugeen River in said Town.

May 13. Application and material filed.
May 14. Application and material considered and approved.
May 14. Order.

Upon the application of the said Corporation and upon reading the Notice of Application, the certified copy of the said By-law, and the affidavits of William Laidlaw, Mayor, and William Belcher Vollet, Clerk, of the said Town, and other material, filed,

The Board orders, that the said By-law Number 552 of the Corporation of the Town of Durham, intituled, "By-law Number 552 of the Municipal Corporation of the Town of Durham. A By-law to authorize the issue of debentures of the Town of Durham to the amount of $11,000 for the purpose, in the first place, of taking up debentures to the amount of $10,000 issued under By-law No. 354 of the said Town of Durham, which mature on the tenth day of June, A.D. 1909; and for the further purpose of supplementing the moneys realized under By-law No. 535 of the said Town of Durham, to build a bridge across the Saugeen River in the said Town of Durham," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Corporation of the Town of Durham, and declaring the same valid and binding, and that its validity is not open to question in any Court on any ground whatever, and that the Debentures to be issued under the authority of and in accordance with the said By-law be also approved, and that the same be certified as provided by the said Act.

(Signed) JAMES LEITCH.
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE No. 483.

In the matter of the application of the Town of Rainy River for an Order validating its By-law No. 55 to authorize the issue of Debentures to amount of $33,000 (with interest at 4½ per cent.) to construct a Municipal Waterworks System.

May 15. Application and material filed.
May 17. Application and material considered and approved.
May 17. Order.

Upon the application of the said Corporation and upon reading the Notice of Application filed by Messrs. Clarke, Bowes & Swabey, Solicitors for the Applicants, the certified copy of the said By-law, the statutory declarations of James Herbert Wilson, Clerk, and Francis Alexander Gormley, Ex-Clerk, and the other material, filed.

The Board orders that the said By-law Number 55, intituled, "By-law No. 55. To provide for borrowing money by issue of debentures of the Town of Rainy River to the amount of $33,000.00 for the purpose of the construction of Municipal Waterworks in the said Town," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the Town of Rainy River, and declaring the same valid and binding and that its validity is not open to question in any Court on any ground whatever, and that the debentures issued under the authority of and in accordance with the said By-law be also approved and that the same be certified as provided by the said Act.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 484.

In the matter of the application of the Town of Rainy River under Section 384 of The Consolidated Municipal Act, 1903, as amended by Subsection 2 of Section 11 of The Municipal Amendment Act, 1909, for an Order extending the time for issuing Debentures under By-law No. 55 of said Town.

May 15. Application and material filed.
May 17. Application and material considered and approved.
May 17. Order.

Upon the Application of the said Corporation and upon reading the Notice of Application filed by Messrs. Clarke, Bowes & Swabey, Solicitors for the Applicants, the certified copy of the said By-law, the statutory declaration of James Herbert Wilson, Clerk, and Francis Alexander Gormley, Ex-Clerk, and the other material, filed,

The Board orders that in pursuance of the provisions of Section 384 of "The Consolidated Municipal Act, 1903," as amended by Section 11 of "The Municipal Amendment Act, 1909," the time for the issue of the debentures authorized by By-law Number 55 of the said Corporation of Rainy River, intituled, "By-law No. 55. To provide for borrowing money by the issue of debentures of the Town of Rainy River to the amount of $33,000.00 for the purpose of the construction of Municipal Waterworks in the said Town," be and the same is hereby extended up to and inclusive of the Fifteenth day of July, A.D. 1909.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Booard.

PROCEDURE FILE NO. 485.

In the matter of the application of the Town of Amherstburg for an Order validating its By-law No. 30B to authorize the issue of debentures to the amount of $2,500 for a new Waterworks pump and repairs to old pump.

May 18. Application and material filed, considered and approved.
May 18. Order.

Upon the Application of the said Corporation and upon reading the Notice of Application filed by Messrs. Beatty, Blackstock, Fasken & Chadwick, Solicitors for the Applicants, the verified copy of the said By-law, the statutory declaration of Franklin A. Hough, Mayor, and John Henry Collins Leggatt, Clerk, of the said Town, and the other material, filed.

The Board orders that the said By-law Number 30B, intituled, "By-law No. 30B. A By-law to provide for the purchase and installation of a new pump in the waterworks buildings of the Corporation of the town of Amherstburg to repair the old pump, and for necessary expenses incidental thereto, and to authorize the issue of debentures of the said Corporation to the amount of $2,500.00 for the purpose of paying for the same," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908", that a certificate be granted approving the said By-law of the Municipal Corporation of the Town of Amherstburg, and declaring the same valid and binding and that its validity is not open to question in any Court on any ground whatever and that the debentures issued under the authority of and in accordance with the said By-law be also approved and that the same be certified as provided by the said Act.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 486.

In the matter of the application of the Town of Amherstburg for an Order validating its By-law No. 52B to authorize the issue of debentures to the amount of $13,962.00 to pay for certain Silex Stone Walks.

May 18. Application and material filed, considered and approved.
May 18. Order.

Upon the application of the said Corporation and upon reading the Notice of Application filed by Messrs. Beatty, Blackstock, Fasken & Chadwick, Solicitors for the Applicants, the verified copy of the said By-law, the affidavits of Franklin A. Hough, Mayor, and John Henry Collins Leggatt, Clerk, of the said Town, and the other material, filed,

The Board orders that the said By-law Number 52B, intituled, "By-law No. 52B. A By-law relating to the construction of certain Silex Stone Walks and to authorize the issue of debentures for the sum of $13,962, to pay for the same secured by Local Special Rates and General Rates of the Town of Amherstburg," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the Town of Amherstburg, and declaring the same valid and binding, and that its validity is not open to question in any Court on any ground whatever, and that the debentures issued under the authority of and in accordance with the said By-law be also approved and that the same be certified as provided by the said Act.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 487.

In the matter of the application of the Village of Port Colborne for an Order validating its By-law No. 4, 1909, to authorize the issue of Debentures to the amount of $7,000 (with interest at 4½ per cent.) to enlarge the existing site of the Public School in said village.

May 19. Application and material filed, considered and approved.
May 19. Order.

Upon the application of the said Corporation and upon reading the Notice of Application filed by Messrs. Bicknell, Bain & Strathy, Solicitors for the Applicants, the Application of the Public School Trustees to the Reeve and Municipal Council of said village, dated the twenty-third day of March, 1909, the statutory declaration of Frank D. Noble, Clerk of the said village, and the statutory declaration of Susie Milliken, the certified copy of the said By-law, and the other material, filed,

The Board orders that the said By-law Number 4, 1909, intituled, "By-law No. 4, 1909. A By-law of the Village of Port Colborne, in the County of Welland, to authorize the issue of debentures for the sum of seven thousand dollars for the purpose of acquiring lands for the enlargement of the existing site of the Public School in the Municipality of the Village of Port Colborne," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the Village of Port Colborne, and declaring the same valid and binding, and that its validity is not open to question in any Court on any ground whatever, and that the debentures issued under the authority of and in accordance with the said By-law be also approved, and that the same be certified as provided by the said Act.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 488.

In the matter of the application of the Township of Barton for an Order validating its By-law No. 678 to consolidate into one issue of $42,261.44 the broken amounts of certain 4½ per cent. twenty year Local Improvement Debentures and the Debentures issued thereunder.

May 19. By-laws filed and Saturday, May 22nd, at 11 a.m., fixed for hearing. Directions *re* procedure and material sent to applicants' solicitor.

May 22. Applicants not having held proper Court of Revision, hearing postponed pending same.

July 8. Hearing as arranged with counsel. Application heard, considered and approved. Order.

Upon the application of the said Corporation, upon hearing what was alleged by counsel for the applicants, and upon reading the affidavit of Alfred George Bryant, Clerk, and John Walter Gage, Reeve, of the said township, and the other material, filed,

The Board orders that the said By-law No. 678, intituled, "By-law No. 678. To consolidate into one issue of $42,261.44 the broken amounts of certain 4½ per cent. 20-year Local Improvement Debentures," and the By-laws thereby consolidated be and the same are hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-laws of the Municipal Corporation of the Township of Barton, and declaring the same valid and binding, and that their validity is not open to question in any Court on any ground whatever, and that the debentures issued under the authority of and in accordance with the said By-laws be also approved, and that the same be certified as provided by the said Act.

(L.S.) (Signed) JAMES LEITCH,

Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 489.

Between the Corporation of the Town of Thessalon, Applicants, and The Thessalon and Northern Railway Company, Respondents.

May 25. Application filed.

June 8. Wednesday, 16th inst., at 11 a.m., at Town Hall, Thessalon, fixed for hearing as requested and appointment issued. This application was settled prior to the hearing.

1. The Applicants are the Municipal Corporation of the Township of Thessalon, in the District of Algoma, in the Province of Ontario.

2. The Respondents are a railway corporation incorporated under Chapter 110 of the Statutes of Ontario in the year 1907.

3. In or about the year 1905 the Applicants constructed with Government aid a gravelled road through their township running easterly and westerly, and commonly known as the East road, upon which road and other roads the township expended the sum of $3,000.00 raised by debentures of the Township and the Government granted a further allowance of $3,000.00, which was expended for the like purpose.

4. In the year 1908 The Thessalon and Northern Railway Company wrongfully entered upon the said highway and crossed the same in the construction of their road at a point at or near what is known as Mortimer's Corner, and in so crossing the Road, the Railway Company wrongfully took about 50 rods of the said travelled road for the purpose of their railway running into the Town of Thessalon from the line of the Canadian Pacific Railway Company.

5. At about the time of the taking of this road objection was made thereto, by or on behalf of the Township of Thessalon to the Engineer in charge of the construction of the said line of railway and to other officials of the Respondent Company, and the work was allowed to proceed on the promise and undertaking of the said Respondent Company to the Applicants that a deviation road would be provided in all respects as good as the travelled road, which was so wrongfully entered upon and taken by the said Respondents as above set forth.

6. The Applicants were and always have been, and are willing to accept from the Respondent Company a suitable, proper and safe deviation road, in all respects as good as the travelled road so wrongfully entered upon and taken, as set forth in paragraph 4 hereof, which deviation road the Respondent Company by their Engineer and officials promised and undertook to provide, as set out in paragraph 5 hereof.

7. Although the Respondent Company have been repeatedly requested to provide for the use of the Applicants the promised deviation roadway, in all respects as good as the road so entered upon and taken as aforesaid, the Respondent Company have failed, neglected and refused to provide such deviation roadway, to the prejudice and injury of the Applicants and His Majesty's subjects in said Township.

8. The deviation roadway provided by the Company is in a dangerous condition and unsafe for public travel, and the ditches or excavations on either side of said deviation road so provided by the Respondent Company are cut perpendicularly from the road-bed to a depth of three or four feet without guards or rails to the great danger of persons travelling upon or using the said deviation roadway, and the said deviation roadway is of insufficient width to permit of teams passing thereon with safety, although the road taken by the Company had a clear width of twenty-four feet of travelled roadway properly gravelled and graded.

9. The course of the railway line as laid down by the Respondent Company necessitates four level crossings within a radius of one-half mile, and two crossings where one might have been sufficient which is an unnecessary additional element of danger to the travelling public, and the Applicants require the Respondent Company to protect the Township in the premises.

10. The said railway road-bed of the Respondent Company is constructed without proper culverts, to permit of an outlet for water, whereby a stagnant pool of water has been formed on the north side of the said roadway which is unsanitary and a menace to public health, and creates a nuisance in the neighborhood.

11. The Applicants ask for an order (*a*) Requiring the Respondent Company to remove their line of railway from the said travelled road of the Township above referred to as the East road so wrongfully entered upon and taken aforesaid, and to restore the same road to the same condition as before the acts complained of, or in the alternative, the Applicants ask for an order that the Respondent Company be compelled forthwith to construct a deviation road which will be in all respects as suitable and as safe for public travel, and in as good a condition as the road wrongfully taken by the Respondent Company as aforesaid.

(*b*) Of protection in respect of the crossings above mentioned, and compelling the Respondent Company to provide necessary drainage to abate the nuisance above complained of.

12. The Applicants ask that by reason of the wrongful acts above complained of, and the continued neglect and refusal of the Respondent Company to remedy the conditions above set forth, that the Respondent Company be ordered to pay the costs of and incidental of this application.

13. The Applicants further ask that a sufficient sum be retained out of the Government grant or subsidy granted by Section 48 of Chapter 23 of the Statutes, 7 Edw. VII., 1907, for the construction of said line of railway, to provide for the carrying out of any order or orders made upon this application.

14. This notice is given by Charles A. Batson, of the Town of Thessalon, in the District of Algoma, Solicitor for the Applicants.

PROCEDURE FILE NO. 490.

In the matter of the application of The Thessalon and Northern Railway Company for an Order for the payment to them of a grant of $5,000 made by the Legislature of the Province of Ontario.

May 25. Application filed.

June 16. Application heard pursuant to arrangement with counsel and railway inspected by Board. Judgment reserved.

June 24. Linen tracing plan of railway filed as directed by Board.

June 24. Order and Certificate.

Upon the application of the above named Company, upon hearing the evidence of Daniel J. Sandie, Mayor of Thessalon and President of the said Company, Albert Burke, Secretary of the said Company, and what was alleged by Counsel, and it appearing that the said Railway extending from the Town of Thessalon northerly to a point on the Algoma Branch of the Canadian Pacific Railway, was completed within two years from the Twentieth day of April, 1907, to the satisfaction of the Minister of Public Works for Ontario, and after an examination of the whole line of the said Railway by the Board, who traversed the same by hand-car, and who found that the said Railway was well and sufficiently graded and laid with seventy-six pound steel rails on good and sufficient ties and that the said Railway was ballasted and the right of way was well and sufficiently fenced with wire fences, and that the application of the Corporation of the Township of Thessalon against the said Company to compel the said Company to build and construct a road in substitution for a part of a public highway entered uopn and taken in connection with the construction of the said Railway and that a suitable deviation road had been provided by the Company, and the said application having been withdrawn,

This Board certifies that The Thessalon and Northern Ontario Railway Company are entitled to the said subsidy of $5,000 granted by the Legislature of the Province of Ontario by the Act 7 Edw. VII., Cap. 23, Sec. 48.

And the Board further certifies from the evidence and consent of the Company that the Imperial Bank of Canada, Thessalon Branch, are entitled to be paid the amount of the said subsidy, and the Board orders and directs the same accordingly.

(L.S.) (Signed) James Leitch,
Chairman of the Ontario Railway and Municipal Board.

Procedure File No. 491.

Between The Bruce Mines, Limited, Applicants, and The Corporation of the Town of Bruce Mines, Respondents.

May 29. Application filed.

June 8. Tuesday, 15th inst., at 11 a.m., at Town Hall, Bruce Mines, fixed for hearing as requested and appointment issued.

June 15. Property inspected and application heard. Judgment reserved.

June 29. Judgment delivered.

July 16. Approved draft of Formal Order received from Respondents' Solicitor and Formal Order issued.

Sept. 1. Notice of motion for leave to appeal received.

Nov. 3. Board appoints Saturday, Nov. 6, 1909, at 11 a.m., at its Chambers, to settle draft appeal book.

This is an application by way of appeal from the Court of Revision of the Town of Bruce Mines dismissing an appeal from the Company's assessment. The Company's chief cause for complaint is that the lands which are mineral lands were not assessed in accordance with sub-section 3 of section 36 of the Assessment Act.

There is no doubt, speaking generally, that the Company's lands are mineral lands and that they should be valued and estimated at the value of other lands in the neighborhood for agricultural purposes. The Company, however, produced a plan from which it appears that a portion of the property has been subdivided into building lots, and treated by the Company as ordinary town property. Some of these lots have been put on the market and sold for building purposes and others are held and have been offered for sale for a like purpose. These lots are not mineral lands and from the evidence it is clear that they were assessed at a very reasonable figure. The following is the list of the lots that the Assessor was right in not classing as mineral lands, and the amounts at which they were assessed.

Water Street, Lots 1, 3, 4, 5, 15—5 lots at $25 each	$125 00
Taylor Street, Lots 19, 29, 30, 31, 32, 33, 34, 35, 36, 38, 39, 40, 41, 52, 36.—15 lots at $35 each	525 00
Taylor Street, Lots 51, 54, 55, 62, 63, 64, 65, 67.—8 lots at $45 each	360 00
Taylor Street, Lot 37.—1 lot at $50	50 00
Taylor Street, Lots 52, 53, 70, 75, 76, 77.—6 lots at $50 each	300 00
Taylor Street, Lots 88, 89, 90, 91, 96, 99, 100.—7 lots at $60 each	420 00
Church Street, Lots 57, 58, 59.—3 lots at $50 each	150 00
Tregenza Street, Lots 153, 154, 155.—3 lots at $65 each	195 00
William Street, Lots 121, 122, 123, 147, 148, 149, 150.—7 lots at $50 each	350 00
Wharf Street, Lots 19, 20, 21, 22, 23, 24, 25, 26, 27, 28.—10 lots at $20 each	200 00
Bruce Street, Lots 42, 43, 44, 45, 46, 47.—6 lots at $30 each	180 00
Trevillion Street, Lots 127 and 130.—2 lots at $50 each	100 00
Wickett Subdivision, Lots 19, 20, 21, 22, 23, 24, 25, 26, 27, 28.—10 lots at $35 each	350 00
Total	3,275 00

Lot No. 131, which was accidentally omitted from the original notice of assessment, was assessed for the sum of $200. This the Board confirms. The water lot comprising 56 acres, situate in front of the Cuthbertson location, was omitted from the original notice of assessment, but it was assessed for $1,680. The Board reduced this assessment to $4.50 per acre and fixed the assessment at $252.

The following property is mineral land and buildings and should be assessed at $31,273:—

North half of Range "A."
South half of Range "A."
South half of Range "B."
South half of Range "C."
South half of Range "D."

Together with the unsurveyed portions north of Taylor Street and south of Wellington Street, comprising 20 acres, and lots on which tailings are placed purchased from Miller comprising 11 acres, that all those lots comprising 215½ acres.—

The Stamp Mill and enclosed grounds,
The Power House, railways, electric light line,
The two shafts and one boiler house,
Half Lot of Taylor Street, No. 117,
Taylor Street frontage 540 feet.
Two docks,

Captain's house,
Machine shop and storehouse,
Boarding house and office, etc.,
Barn and stable.

The Board are of the opinion that the Act of 1906, Chapter 65, being an Act respecting the Town of Bruce Mines and the Copper Mining and Smelting Company, Limited, is binding on the parties. That Act validated By-law No. 27 of the Corporation of Bruce Mines, which provided that for all purposes of assessment, both for municipal and school taxes, the sum of $35,000 should be fixed as the maximum amount on which the Company's assessable property shall be assessed by the Corporation for payment of municipal or school taxes, rates or other assessments. The evidence showed a wide divergence of opinion as to the value of other land in the neighborhood for agricultural purposes, and we think that the justice of the case will be met by reducing the Assessor's valuation on the lastly mentioned property, which is unquestionably mineral lands and buildings thereon to $31,273.00, which with the other amounts above mentioned will make the Company's assessment $35,000.00, the maximum fixed by 6 Edward VII., Cap. 65. The Clerk can amend the assessment roll in accordance with the above opinion forthwith.

The Board makes no order as to costs except that the Town shall pay $10 for stamps for the formal Order.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

Upon the application of the above named Respondents, upon this Board viewing the lands in question herein; and upon hearing the evidence adduced on behalf of the parties hereto and upon hearing Counsel for the Applicant and the Respondents on the 15th day of June, 1909, at the Town of Bruce Mines, and judgment having been reserved until this day.

This Board orders and directs that the assessed values of the following lots situate on the following streets, namely:—

Water Street, Lots 1, 3, 4, 5, 15.—5 lots at $25 each	$125 00
Taylor Street, Lots 19, 29, 30, 31, 32, 33, 34, 35, 36, 38, 39, 40, 41, 52, 36.—15 lots at $35 each	525 00
Taylor Street, Lots 51, 54, 55, 62, 63, 64, 65, 67.—8 lots at $45 each	360 00
Taylor Street, Lot 37.—1 lot at $50	50 00
Taylor Street, Lots 52, 53, 70, 75, 76, 77.—6 lots at $50 each	300 00
Taylor Street, Lots 88, 89, 90, 91, 96, 99, 100.—7 lots at $60 each	420 00
Church Street, Lots 57, 58, 59.—3 lots at $50 each	150 00
Tregenza Street, Lots 153, 154, 155.—3 lots at $65 each	195 00
William Street, Lots 121, 122, 123, 147, 148, 149, 150.—7 lots at $50 each	350 00
Wharf Street, Lots 19, 20, 21, 22, 23, 24, 25, 26, 27, 28.—10 lots at $20 each	200 00
Bruce Street, Lots 42, 43, 44, 45, 46, 47.—6 lots at $30 each	180 00
Trevillion Street, Lots 127 and 130.—2 lots at $50 each	100 00
Wickett Subdivision, Lots 19, 20, 21, 22, 23, 24, 25, 26, 27, 28.—10 lots at $35 each	350 00
	$3,305 00

as fixed by the Court of Revision for the said Town of Bruce Mines be and the same are hereby confirmed.

This Board further orders and directs that the assessment of Lot No. 131, at $200 and which was accidentally omitted from the original notice of assessment, be and the same is hereby confirmed.

This Board further orders and directs that the assessment of the water lot comprising 56 acres, omitted from the original notice of assessment be reduced from $30 to $4.50 per acre and fixed at the sum of $252.

The following property is mineral lands and buildings:—

North half of Range "A."
South half of Range "A."
South half of Range "B."
South half of Range "C."
South half of Range "D."

Together with unsurveyed portions north of Taylor Street and south of Wellington Street, comprising 20 acres and lots on which tailings are placed, purchased from Miller, comprising 11 acres, that all those lots comprising 215½ acres.—

The Stamp Mill and enclosed grounds,
The Power House, railways, electric light line,
The two shafts and one boiler house,
Half lot of Taylor Street, No. 117,
Taylor Street frontage 540 feet.
Two docks,
Captain's house,
Machine shop and storehouse,
Boarding house and office, etc.,
Barn and stable,

and should be assessed at $31,243.00, and the said Board hereby orders and directs that the assessment of the said mineral lands and buildings above mentioned be and the same is hereby fixed at $31,243.00.

This Board further orders and directs that the assessment roll of the above named Respondents for the year 1909 be amended accordingly.

This Board further orders and directs that each of the said parties hereto shall bear and pay its own costs of this Appeal and the said Respondents shall pay $10 in law stamps on the judgment herein.

Dated this 16th day of July, 1909.

(L.S.) (Signed) A. B. INGRAM,
Vice-Chairman of the Ontario Railway and Municipal Board.

Take notice that the Board appoints Saturday, the Sixth day of November, 1909, at the hour of eleven o'clock in the forenoon at its Chambers in the Manning Chambers in the City of Toronto, for the purpose of settling the draft appeal book, herein.

Dated this Third day of November, 1909.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE No. 492.

Re Arbitration Act and Arbitration between the City of Fort William and John Thomas Horne.

May 21. On application of Counsel for Fort William, Board appoints Monday, June 14th, at 11 a.m., at City Hall, Fort William, to commence the hearing of this arbitration.

June 10. Hearing adjourned *sine die* by arrangement with Counsel.

PROCEDURE FILE No. 493.

In the matter of the application of the City of Niagara Falls for the approval of its By-law No. 347 for the issue of debentures to the amount of $10,000 for the extension of its Electric Light System.

May 31. Application and material filed, considered and approved.
May 31. Order.

Upon the application of the above named Corporation, and upon reading the Notice of Application, filed by F. C. McBurney, Esq., Solicitor for the Applicant, the duplicate original of the said by-law, the affidavit of George E. Foster, Superintendent in charge of the Niagara Falls Electric Light Works, and the affidavit of Robert P. Slater, Mayor, William John McMurray, Treasurer, and Walter J. Seymour, Clerk, of the said City, filed,

The Board orders that the said By-law Number 347 of the Municipal Corporation of the City of Niagara Falls, intituled, "By-law No. 347. A By-law to provide for the extension and improvement of the Electric Light Plant in the City of Niagara Falls and to authorize the issue of debentures of the said City to the amount of $10,000, for the purpose of raising the sum required therefor," be and the same is hereby approved.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE No. 494.

In the matter of the application of the City of Niagara Falls for the approval of its By-law No. 348 for the issue of debentures to the amount of $21,678, for the extension of its Waterworks System.

May 31. Application and material filed, considered and approved.
May 31. Order.

Upon the application of the above named Corporation, and upon reading the Notice of Application, filed by F. C. McBurney, Esq., Solicitor for the Applicant, the duplicate original of the said By-law, the affidavit of Alexander Collins, Superintendent in charge of the Niagara Falls Waterworks, and the affidavit of Robert P. Slater, Mayor, William John McMurray, Treasurer, and Walter J. Seymour, Clerk, of the said City, filed,

The Board orders that the said By-law Number 348 of the Municipal Corporation of the City of Niagara Falls, intituled, "By-law No. 348. A By-law to provide for the extension and improvement of the Waterworks System in the City of Niagara Falls and to authorize the issue of debentures of the said City to the amount of $21,678, for the purpose of raising the sum required therefor," be and the same is hereby approved.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 495.

In the matter of the application of the Town of Oakville for the approval of its By-law No. 383 for the issue of debentures to the amount of $5,000 to pay for the extension of its Electric Light System.

May 31. Application and material filed, considered and approved.
May 31. Order.

Upon the application of the above named Corporation and upon hearing what was alleged by the Counsel for the Applicants, and upon reading the notice of application filed by W. A. Chisholm, Esq., Solicitor for the Applicants, the verified copy of the said By-law, the affidavits of William Sinclair Davis, Mayor, William J. Fleuty, Clerk, and James L. Hewson, Treasurer, of the said Town, and the affidavit of Robert Scott Wilson, Superintendent of the Waterworks and Electric Light Systems of said Town, filed.

The Board orders that the said By-law Number 383 of the Municipal Corporation of the Town of Oakville, intituled, "Town of Oakville. By-law No. 383. A By-law to authorize the issue of debentures of the Town of Oakville for the sum of $5,000 for paying the expense of Extensions and Improvements to the Electric Light System of the said Town," be and the same is hereby approved.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 496.

In the matter of the application of the Town of Oakville for the approval of its By-law No. 384 for the issue of debentures to the amount of $15,000 to pay for the extension of its Waterworks System.

May 31. Application and material filed, considered and approved.
May 31. Order.

Upon the application of the above named Corporation and upon hearing what was alleged by Counsel for the Applicants, and upon reading the Notice of Application filed by W. A. Chisholm, Esq., Solicitor for the Applicants, the verified copy of the said By-law, the affidavits of William Sinclair Davis, Mayor, William J. Fleuty, Clerk, and James L. Hewson, Treasurer, of the said Town, and the affidavit of Robert Scott Wilson, Superintendent of the Waterworks and Electric Systems of the said Town, filed.

The Board orders that the said By-law Number 384 of the Municipal Corporation of the Town of Oakville, intituled, "Town of Oakville. By-law No. 384. A By-law to authorize the issue of debentures of the Town of Oakville for the sum of $15,000; for paying the expenses of extensions and improvements to the Waterworks System of the said Town," be and the same is hereby approved.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 497.

Between Edward Reith, Applicant, and the Corporation of the Town of Rainy River, Respondent.

June 3. Application filed to rescind orders validating and extending debenture issue period under Rainy River By-law No. 55 (P. F. 483 and P. F. 484).

June 22. On application of Respondents, Board appoints Monday, 28th inst., at 11 a.m., at its Chambers, for the hearing herein.

June 24. Statutory declarations of Edward Reith, Sylvester T. Atkinson, Harold H. Morton and Alexander W. Walsh filed.

June 29. Application heard pursuant to appointment, documentary evidence only produced.

Judgment delivered dismissing application. Notice of Appeal received.

Oct. 28. Formal Order settled in presence of Counsel for all parties, pursuant to appointment and adjournment.

Oct. 28. Order.

Upon application of the above named Applicant in presence of Counsel for the above named Respondent for an Order for the reversal or disallowance of the Orders of this Board made on the 17th day of May, 1909, extending the time for issuing debentures under By-law Number 55 of the Corporation of the Town of Rainy River, and validating the said by-laws and debentures, and upon hearing read the notice of application of Edward Reith, dated the 3rd day of June, the evidence adduced in support thereof, the application of the Town, dated the 14th May, the Orders complained of and the material therein referred to, and upon hearing what was alleged by Counsel,

The Board orders that the said motion be and the same is hereby dismissed.

And the Board makes no order as to costs, save that the Applicant shall pay the sum of Ten Dollars for law stamps for the Order.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 498.

In the matter of the application of the Town of Listowel for an Order validating its By-law No. 540 for the issue of debentures to the amount of $12,500 to enlarge its Electric Light Plant.

June 8. Application and material filed.

June 9. Application and material considered and approved.

June 9. Order.

Upon the application of the said Corporation and upon reading the Notice of Application, filed by Messrs. Morphy and Carthew, Solicitors for the Applicants, the certified copy of the said By-law, the statutory declarations of Andrew Foerck, Mayor, and William Bright, Clerk, of the said Town, and the other material, filed,

The Board orders that the said By-law Number 540, intituled, "By-law No. 540 of the Town of Listowel. A by-law to raise on the credit of the Corporation of the Town of Listowel the sum of $12,500 for the erection and installation of new and additional electric light works for the said Corporation," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the Town of Listowel, and declaring the same valid and binding and that its validity is not open to question in any Court on any ground whatever, and that the debentures issued under the authority of and in accordance with the said By-law be also approved and that the same be certified as provided by the said Act.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE No. 499.

In the matter of the application of the City of Windsor for an Order validating its By-law No. 1297 for the issue of debentures to the amount of $9,000 for Public Park purposes.

June 11. Application and material filed.
June 11. Application and material considered and approved.
June 11. Order.

Upon the application of the said Corporation and upon reading the Notice of Application filed by Messrs. Ellis & Ellis, Solicitors for the Applicant, the certified copy of the said By-law, the statutory declarations of Ernest S. Wigle, Mayor, and Stephen Lusted, Clerk, of the said City, and the other material, filed.

The Board orders that the said By-law Number 1297, intituled, "By-law No. 1297. A By-law to raise by way of loan the sum of $9,000 for Public Park purposes," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the City of Windsor, and declaring the same valid and binding and that its validity is not open to question in any Court on any ground whatever, and that the debentures issued under the authority of and in accordance with the said By-law be also approved and that the same be certified as provided by the said Act.

(L.S.) (Signed) A. B. INGRAM,
Vice-Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE No. 500.

In the matter of the application of the City of St. Thomas for an Order validating its By-law No. 1692 to authorize the issue of debentures to an amount not exceeding $20,000 to pay the cost of a Subway under the tracks of the Michigan Central Railroad on Ross Street in the said city.

June 21. Application and material filed, considered and approved.
June 21. Order.

Upon the application of the said Corporation, and upon reading the Notice of Application, filed by W. B. Doherty, Esq., Solicitor for the Applicants, the certified copy of the said By-law, and the statutory declarations of George Geddes, Mayor, and William Burton Doherty, Clerk, of the said City, filed,

The Board orders that the said By-law Number 1692, intituled, "By-law No. 1692. To authorize the issue of debentures to an amount not exceeding $20,000 for the purpose of paying the share of the City of St. Thomas of the cost of the construction of a subway under the tracks of the Michigan Central Railway on Ross Street," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the City of St. Thomas, and declaring the same valid and binding and that its validity is not open to question in any Court on any ground whatever, and that the debentures issued under the authority of and in accordance with the said By-law be also approved and that the same be certified as provided by the said Act.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 501.

Between the Township of Sandwich East and The Windsor and Tecumseh Electric Railway Company.

To open a Public Crossing over Railway.

June 21. Application filed.

June 26. Reply filed.

PROCEDURE FILE NO. 502.

Between the Grand Trunk Railway Company of Canada and the Town of Midland. (Assessment Appeal).

June 21. Notice of Appeal filed.

Sept. 1. Notice of Application with Affidavit of Service filed.

Dec. 9. Board arranges with Counsel to have view at Midland on 22nd inst. and hearing at its Chambers in Toronto on 23rd at 11.30 a.m.

Dec. 22. View by Board at Midland as arranged.

Dec. 23. 11.30 a.m. Hearing at Board's Chambers, settlement arrived at by Counsel during short adjournment for that purpose, and stated to Board. See Stenographer's notes.

PROCEDURE FILE NO. 503.

In the matter of the application of the Town of Owen Sound for an Order validating its By-law No. 1352 to authorize the issue of debentures to the amount of $125,000 to extend and improve the Waterworks System of said Town.

June 21. Application and material filed, considered and approved.

July 2. Order.

Upon the application of the said Corporation and upon reading the Notice of Application filed by R. W. Evans, Esquire, Solicitor for the Applicant, the certified copy of the said By-law, the affidavits of John Legate, Reeve, and Charles Gordon, Clerk, of the said Town, and the other material, filed,

The Board orders that the said By-law Number 1352, intituled "By-law No. 1352 of the Town of Owen Sound. A By-law to extend and improve the Waterworks System of the Town of Owen Sound," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the Town of Owen Sound, and declaring the same valid and binding and that its validity is not open to question in any Court on any ground whatever, and that the debentures issued under the authority of and in accordance with the said By-law be also approved and that the same be certified as provided by the said Act.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 504.

In the matter of the application of the Town of Owen Sound for an Order validating its By-law No. 1353 to authorize the issue of debentures to the amount of $30,000 to extend and improve the Electric Light Plant.

June 21. Application and material filed. considered and approved.
July 2. Order.

Upon the application of the said Corporation and upon the Notice of Application filed by R. W. Evans. Esq., Solicitor for the Applicants, the certified copy of the said By-law, the affidavits of John Legate, Reeve, and Charles Gordon, Clerk of the said Town, and the other material, filed,

The Board orders that the said By-law Number 1353, intituled "By-law No. 1353. A By-law to raise the sum of $30,000 for the purpose of improving the Electric Light Plant of the Town of Owen Sound, and to pay off moneys borrowed for extensions already made, and to authorize the issue of debentures therefor," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the Town of Owen Sound, and declaring the same valid and binding and that its validity is not open to question in any Court on any ground whatever, and that the debentures issued under the authority of and in accordance with the said By-law be also approved and that the same be certified as provided by the said Act.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 505.

In the matter of the application of the Township of Rochester for an Order validating its By-law No. 313 to authorize the issue of debentures to the amount of $2,000 for the said Township's share of a County Bridge over the River Ruscomb.

June 21. Application and material filed, considered and approved.
June 21. Order.

Upon the application of the said Corporation and upon reading the Notice of Application, the certified copy of the said By-law and the declarations of M. N. Mousseau, Clerk, and James Hedrick, Reeve of the said Township, and the other material, filed.

The Board orders that the said By-law Number 313, intituled "Township of Rochester. By-law No. 313. A By-law to provide for the expenditure of $2,000 to pay the share of construction to be contributed by the Township of

Rochester for a County bridge over River Ruscomb at Base Line Road in said Township, and to authorize the issue of debentures of the Township of Rochester to the amount of $2,000, Two Thousand Dollars, for the purpose of raising the said sum," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the Township of Rochester, and declaring the same valid and binding and that its validity is not open to question in any Court on any ground whatever, and that the debentures issued under the authority of and in accordance with the said By-law be also approved and that the same be certified as provided by the said Act.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE No. 506.

In the matter of the application of the Township of Rochester for an Order validating its By-law No. 322 to authorize the issue of debentures to the amount of $2,240 to extend its Local Municipal Telephone System.

June 24. Application and material filed, considered and approved.
June 24. Order.

Upon the application of the said Corporation and upon reading the Notice of Application, the certified copy of the said By-law and the declarations of M. N. Mousseau, Clerk, and James Hedrick, Reeve of the said Township, and the other material, filed.

The Board orders that the said By-law Number 322, intituled "By-law No. 322. A By-law to authorize the Reeve and Treasurer of the Township of Rochester to raise by way of loan the sum of $2,240 for the purpose hereinafter mentioned," be and the same is hereby approved and validated.

And it is ordered, purusant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the Township of Rochester, and declaring the same valid and binding and that its validity is not open to question in any Court on any ground whatever, and that the debentures issued under the authority of and in accordance with the said By-law be also approved and that the same be certified as provided by the said Act.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE No. 507.

In the matter of the application of the Town of Listowel for the approval of its By-law to increase the rate of interest from 4 to 4½ per cent. on $12,500 of Electric Light Debentures to be issued pursuant to By-law No. 540 of said Corporation.

June 24. Application and material filed, considered and approved.
June 24. Order .

Upon the application of the above named Corporation and upon reading the Notice of Application filed by Messrs. Morphy & Carthew, Solicitors for the Applicant, the affidavits of Alfred W. Featherstone, Chairman of Finance Committee, Andrew Foerch, Mayor, William Bright, Clerk, and William E. Binning, Treasurer, of the said Town, and the other material, filed.

The Board orders that the said By-law of the Municipal Corporation of the Town of Listowel to increase from 4 to 4½ per cent. per annum the rate of interest on $12,500 of the Electric Light Debentures authorized to be issued pursuant to the said Corporation's By-law Number 540, be and the same is hereby approved under and in pursuance of Section 388B of "The Consolidated Municipal Act, 1903" (4 Edw. VII. Chap. 22, Sec. 11 (Ont.)

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 508.

In the matter of the application of the Corporation of the City of Belleville under Section 420 of the Consolidated Municipal Act, 1903, for the approval of the debentures authorized under the said Corporation's By-laws numbered 1478 and 1479, as an investment of $45,000 of the sinking fund at the credit of the sinking fund account of the said Corporation.

June 24. Application filed and heard by Board.
June 24. Order.

Upon the application of the Municipal Corporation of the City of Belleville upon hearing what was alleged by W. C. Mikel, K.C., Counsel for the applicants, and upon reading the declaration of Lorne Wilmot Marsh, Mayor of the said City, and the exhibits thereto, filed.

The Board orders under and in pursuance of Section 420 of "The Consolidated Municipal Act, 1903," and of Section 53 of "The Ontario Railway and Municipal Board Act, 1906," that the debentures authorized by By-law No. 1478 of the said Corporation, intituled "By-law No. 1478. A By-law to authorize the issue of debentures under the authority of an Act passed in the 53rd year of the Reign of Her Late Majesty Queen Victoria, entitled An Act respecting the City of Belleville," and that the debentures authorized by By-law No. 1479 of the said Corporation, intituled "By-law No. 1479. A By-law to authorize the issue of debentures for a loan for the purpose of establishing, erecting and furnishing Isolation Hospitals in the City of Belleville," be and the same are hereby approved as an investment of and for $45,000 of the total sum at the credit of the sinking fund account of the Municipal Corporation of the City of Belleville.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 509.

Re Drinking Water on Passenger Cars.

June 23. Complaint received as to absence of drinking water on cars of Metropolitan Division, Toronto and York Radial Railway, running between Toronto and Jackson's Point.

June 24. Regulation passed by Board requiring a sufficient supply of drinking water to be carried on passenger cars of railways (except street railways in towns and cities) to apply to every car running twenty miles or more.

The following regulation has been made and promulgated by the Ontario Railway and Municipal Board to take effect forthwith:—

Every Electric Railway Company in Ontario, subject to the jurisdiction of the Board, shall provide in each passenger car which runs 20 miles or more, a suitable receptacle for water with a cup or drinking utensil attached upon or near such receptacle, and shall keep such receptacle, while the car is in use, constantly supplied with cool drinking water for the use of passengers and the conductor and motorman in charge of such car. This regulation shall not apply to street railways in towns or cities.

Dated at Toronto this 24th day of June, 1909.

(Signed) James Leitch,
Chairman.

(Signed) A. B. Ingram,
Vice-Chairman.

(Signed) H. N. Kittson,
Commissioner.

Procedure File No. 510.

In the matter of the application by Edward Colborne for approval of his Fender.

June 24. Application received. Monday, July 5, 1909, at 11 a.m. fixed for test of fender.

Procedure File No. 511.

In the matter of the application of the Village of Bloomfield for an Order validating its By-law to authorize the issue of debentures to the amount of $8,000 (with interest at 4½ per cent.) for street improvements.

June 26. Application filed, considered and approved.

June 26. Order.

Upon the application of the said Corporation and upon reading the Notice of Application filed by Edward M. Young, Solicitor for the Applicants, the certified copy of the said By-law, the affidavits of Charles H. Saylor, Clerk, and Joseph J. Brown, Reeve, of the said Village, and the other material, filed.

The Board orders that the said By-law, intituled "By-law No. . A By-law to authorize the issue of debentures of the Village of Bloomfield to the amount of $8,000 to improve the highways, streets and walks in the said Village, and to purchase gravel pits and road machinery," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the Village of Bloomfield, and declaring the same valid and binding and that its validity is not open to question in any Court on any ground whatever, and that the debentures issued under the authority of and in accordance with the said By-law be also approved and that the same be certified as provided by the said Act.

(L.S.) (Signed) James Leitch,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE No. 512.

In the matter of the application of the Town of Oakville for an Order validating its By-law No. 383 and the debentures issued thereunder ($5,000 for Electric Light System Extension).

July 3. Application and material filed, considered and approved.

July 3. Order.

Upon the application of the said Corporation and upon reading the Notice of Application, the certified copy of the said By-law, and the other material, filed.

The Board orders that the said By-law Number 383, intituled "Town of Oakville. By-law No. 383. A By-law to authorize the issue of debentures of the Town of Oakville for the sum of $5,000 for paying the Expenses of Extensions and Improvements to the Electric Light System of the said Town," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the Town of Oakville, and declaring the same valid and binding and that its validity is not open to question in any Court on any ground whatever, and that the debentures issued under the authority of and in accordance with the said By-law be also approved and that the same be certified as provided by the said Act.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE No. 513.

In the matter of the application of the Town of Oakville for an Order validating its By-law No. 384 and the debentures issued thereunder ($15,000 for Waterworks Extensions).

July 3. Application and material filed, considered and approved.

July 3. Order.

Upon the application of the said Corporation and upon reading the Notice of Application, the certified copy of the said By-law, and the other material, filed,

The Board orders that the said By-law Number 384, intituled "Town of Oakville. By-law No. 384. A By-law to authorize the issue of debentures of the Town of Oakville, for the sum of $15,000, for paying the expenses of extensions and improvements to the Waterworks System of the said Town," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the Town of Oakville, and declaring the same valid and binding and that its validity is not open to question in any Court on any ground whatever, and that the debentures issued under the authority of and in accordance with the said By-law be also approved and that the same be certified as provided by the said Act.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 514.

In the matter of the application of the Town of Listowel under 8 Edward VII. Cap. 51, for validation of the debentures issued under its By-law No. 540 as amended by Interest increase By-law No. 541 ($12,500 for Electric Light purposes).

July 5. Application and material filed. The above By-law 540 was validated by the Board on the 9th day of June, 1909 (P.F. 498) anad the above By-law 541 was approved by the Board on the 24th day of June, 1909 (P.F. 507).

July 6. Letter to applicants explaining position. (See P.F. 498).

PROCEDURE FILE NO. 515.

In the matter of the application for Annexation to the City of Toronto of Part of the Township of York known as North Dovercourt and Earlscourt.

July 5. Copy of Resolution of Toronto City Council, declaring the expediency of above annexation, received.

July 14. Application filed by Messrs. Masten, Starr & Spence.

Nov. 10. Petition for annexation filed by Applicant's Solicitors, also verified copy of list of names on assessment roll.

Nov. 12. Board appoints Thursday, November 25th, at 11.30 a.m., at its Chambers for hearing.

Nov. 25. 11.30 a.m. Hearing pursuant to appointment. Annexation decreed to take effect January 10th, 1910.

Dec. 16. Board fixes Monday 20th inst., 11 a.m., at its Chambers to settle terms of annexation order.

Dec. 20. Counsel for all parties attend on settling terms of order—same settled except as regards Toronto Suburban Ry. Co.—settlement of order adjourned pending preparation of clauses re said Railway Company.

Notice is hereby given that the Municipal Council of the Corporation of the City of Toronto has, by Resolution passed on the 28th day of June, 1909, declared the expediency of the annexation to the City of Toronto of that portion of the Township of York above mentioned, and that the said Resolution and a Petition for such annexation, signed by an alleged majority of the ratepayers of the said portion of the Township of York, have been filed in the office of the Ontario Railway and Municipal Board.

And notice is further given that the Board hereby appoints Thursday, the Twenty-fifth day of November, at the hour of half-past eleven o'clock in the forenoon at its Chambers in the Manning Chambers in the City of Toronto to hear the application for the annexation mentioned in the said Resolution and Petition.

Dated at Toronto this Twelfth day of November, A.D. 1909.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 516.

In the matter of the application for annexation to the City of Toronto of that portion of the Township of York bounded on the west and north by the present limits of said City, on the east by the Township of Scarboro, and on the south by Lake Ontario.

July 5. Copy of Resolution of Toronto City Council, declaring the expediency of annexation filed.

July 5. Petition for annexation filed (four parts).

Oct. 2. Board appoints October 28, 1909, at 11.30 a.m., at its Chambers for the hearing.

Oct. 28. Hearing pursuant to appointment. Owing to variance between Resolution of City Council and Petitions filed, hearing adjourned to November 12, 1909, at 11.30 a.m., at same place, to give Applicants an opportunity of filing new and proper Petitions.

Nov. 12. Second petition for annexation filed.

Nov. 12. 11.30 a.m. Hearing continued pursuant to adjournment, annexation decreed, to take effect on 15th December, 1909.

Nov. 12. Formal order.

Notice is hereby given that the Municipal Council of the Corporation of the City of Toronto has by Resolution passed on the 28th day of June, 1909, declared the expediency of the annexation to the City of Toronto of that portion of the Township of York above mentioned and more particularly described in the said Resolution, and that the said Resolution and a Petition for such annexation, signed by an alleged majority of the ratepayers of the said portion of the Township of York have been filed in the office of the Ontario Railway and Municipal Board.

And Notice is further given that the Board hereby appoints Thursday, the Twenty-eighth day of October at the hour of half-past eleven o'clock in the forenoon at its Chambers in the Manning Chambers, in the City of Toronto, to hear the application for the annexation mentioned in the said Resolution and Petition.

Dated at Toronto this Second day of October, A.D. 1909.

(L.S.) (Signed) James Leitch,
Chairman of the Ontario Railway and Municipal Board.

Upon the application of the said Applicants made this day, upon reading the Resolution of the Council of the Corporation of the City of Toronto passed on the 28th day of June, 1909, the Petition of the said Applicants and upon hearing what was alleged by Council on behalf of the Corporation of the City of Toronto and on behalf of parties objecting thereto, and upon hearing the said Applicants:

The Board orders and proclaims that the lands and premises in the Township of York described as follows, that is to say: bounded on the west and north by the present limits of the City of Toronto, on the east by the Township of Scarborough and on the south by Lake Ontario; be and the same are hereby annexed to the City of Toronto; the said annexation to take effect on the 15th day of December, 1909, upon and subject to the following terms and conditions, namely:

1. That the said lands be added to Ward No. 1 of the said City.

2. That the lands so added, but not any new buildings or improvements erected or placed thereon after the 28th day of June, 1909, shall remain for a period of five years from the 1st day of January, 1910, at the same assessed value as such lands were assessed in the Township of York for the year 1909, but any buildings erected and improvements made on any of the lands so added and not included in the assessment for the said year, and also all such lands as may be sold after the said 28th day of June, 1909, shall be assessed as other lands and

buildings under the provisions of the Assessment Act. Provided that any buildings or improvements omitted from the assessment roll for 1909 shall be assessed on the basis of value adopted by the Township of York in similar cases.

3. That the said City of Toronto may at any time in the year 1910 prior to the passing of a by-law striking the rate of taxation for the said year assess (subject to the rights of appeal provided by the Assessment Act) the lands included in the territory hereby annexed and the owners and occupants thereof for the year 1910 as though the same had been made in the year 1909, and the same shall be assessed (except in the case of new buildings or improvements erected or placed thereon after the said 28th day of June, 1909) at the same assessed value respectively as they were assessed by the Township of York for the year 1909, but new buildings erected and improvements made upon any of the lands included in the territory hereby annexed after the said 28th day of June, 1909, and lands sold thereafter shall, subject to the provisions in Clause 2 hereof, be assessed for their value as authorized by the Assessment Act and the owners and occupiers shall be notified of such assessment as required by the Assessment Act, and shall have the same right to appeal to the Court of Revision and County Judge as is provided therein, anad the assessment so fixed shall be the one upon which the taxes for the year 1910 upon the said lands shall be rated and imposed.

4. That the taxes and rates imposed for the year 1909 or any prior year upon any of the lands included in the territory hereby annexed or upon any ratepayer therein, which shall not have been collected before the 15th day of December, 1909, shall be collected by and belong to the Township of York, and all right to collect the same, including distress for non-payment or if necessary the sale of the said lands or any of them, shall remain in the said Township as though this Order had not been made, and all adjustments between the City of Toronto and the Township of York shall be made as of the first day of January, 1910.

5. That any by-laws of the Township of York granting exemption from taxation or fixing the assessments within the territory hereby annexed shall not be affected by this Order, or the annexation hereby directed, and such by-laws shall remain in as full force and effect as if this Order had not been made.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE No. 517.

In the matter of the application of the County of Huron for an Order validating its By-law No. 2, 1909, and the debentures issued thereunder ($20,000 for steel and concrete bridges).

July 6. Application and material filed and Counsel heard.

July 6. Order.

Upon the application of the said Corporation and upon hearing what was alleged by Counsel for the Applicant, and upon reading the Notice of Application filed by Robert Hays, Solicitor for the Applicant, the certified copy of the said By-law, the affidavit of William Lane, Clerk of the said County, and the other material, filed,

The Board orders that the said By-law Number 2, 1909, intituled "By-law No. 2, 1909, of the County of Huron. A By-law to authorize the issue of debentures of the Corporation of the County of Huron for the purpose of raising the sum of $20,000, to pay for the erection of steel and concrete bridges in the said County of Huron," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the County of Huron, and declaring the same valid and binding and that its validity is not open to question in any Court on any ground whatever, and that the debentures issued under the authority of and in accordance with the said By-law be also approved and that the same be certified as provided by the said Act.

(L.S.)

(Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE No. 518.

In the matter of the application of the Temiskaming and Northern Ontario Railway Commission for certification of Plan and Book of Reference of proposed Spur line to Bay Lake, near Latchford on J. S. 25, District of Nipissing.

July 9. Plan and Book of Reference in duplicate filed, considered, approved and certified.

July 10. Duplicate original returned to Applicants' Solicitors.

PROCEDURE FILE No. 519.

In the matter of the application of the City of Guelph for the approval of its By-law No. 709 to raise the sum of $20,000 for extensions to its sewerage system.

July 13. Application and material filed and Counsel heard.

July 13. Order.

Upon the application of the above named Corporation, and upon reading the Notice of Application, the certified copy of the said By-law, the certificate of Charles A. Hodgetts, Secretary of the Provincial Board of Health, and the affidavits of George Hastings, Mayor, Thomas James Moore, Clerk, and Harry Mahoney, Chairman of the Sewerage Committee, of the said City, filed.

The Board orders that the said By-law of the Municipal Corporation of the City of Guelph, intituled "The Corporation of the City of Guelph. By-law No. 709. A By-law to provide for the issue of debentures to the amount of $20,000 for the purpose of paying for extensions and improvements to Sewerage and Sewage Works," be and the same is hereby approved.

(L.S.)

(Signed) H. N. KITTSON,
Member of the Ontario Railway and Municipal Board.

PROCEDURE FILE No. 520.

In the matter of the application of the Temiskaming and Northern Ontario Railway Commission for the sanction of its By-law No. 5 passed the 23rd day of June, 1909, prohibiting spitting in passenger stations, etc.

July 14. Application and material filed, considered and approved.

July 14. Order.

Upon the application of the Temiskaming and Northern Ontario Railway Commission, and upon reading the certified copy of the said By-law, filed.

The Board orders that By-law Number 5 of the Temiskaming and Northern Ontario Railway Commission passed the Twenty-third day of June, 1909, prohibiting spitting in passenger stations, etc., of the Commission, be and the same is hereby approved and sanctioned.

(L.S.) (Signed) A. B. INGRAM,
Vice-Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 521.

In the matter of the application of the United Counties of Prescott and Russell for an Order validating its By-law No. 619 to authorize the issue of debentures to the amount of $13,000 to cover the cost of a County Bridge across the Big Castor River and another across Horse Creek.

July 14. Application and material filed.
Sept. 8. Application and material considered and approved.
Sept. 8. Order.

Upon the application of the said Corporation, and upon reading the Notice of Application, filed by Colin G. O'Brien, Solicitor for the Applicants, the certified copy of the said By-law, the affidavits of Napoleon DesRosiers, Warden, and Eden Abbot Johnson, Clerk of the United Counties of Prescott and Russell, and the other material, filed.

The Board orders that the said By-law Number 619, intituled "By-law No. 619. By-law to authorize a loan of $13,000 to cover the cost of a County Bridge across the Big Castor River and another across Horse Creek and for the issue of debentures and the levy of the necessary rates to pay the same," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Corporation of the United Counties of Prescott and Russell, and declaring the same valid and binding and that its validity is not open to question in any Court on any ground whatever, and that the debentures issued under the authority of and in accordance with the said By-law be also approved, and that the same be certified as provided by the said Act.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 522.

In the matter of the application of the Town of Fort Frances for an Order validating its By-law No. 176 providing for borrowing money by local special rates for construction of a sewer in said Town, ($9,000).

July 14. Application and material filed.
Sept. 8. Application and material considered and approved.
Sept. 8. Order.

Upon the application of the said Corporation, and upon reading the Notice of Application, filed by Messrs. Aylesworth, Wright, Moss & Thompson, Solicitors for the Applicant, the certified copy of the said By-law, and the statutory declaration of William Herbert Elliott, Clerk of the said Town, filed, The Board orders that the said By-law Number 176, intituled, "Local Improvement By-law No. 176. A By-law to provide for borrowing money by the issue of debentures secured by local special rates on the property fronting or abutting on the following streets in the town of Fort Frances for the following sewers thereon, viz., a 15-inch sewer on Nelson Street from its intersection with Portage Avenue to its intersection with Crowe Street; a 9-inch sewer on Sinclair Street from its intersection with Mowat Street to its intersection with Portage Avenue, and a 9-inch sewer on Church Street from its intersection with Portage Avenue to its intersection with Victoria Street," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the Town of Fort Frances, and declaring the same valid and binding and that its validity is not open to question in any Court on any ground whatever, and that the debentures issued under the authority of and in accordance with the said By-law be also approved and that the same be certified as provided by the said Act.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 523.

In the matter of the application of the Town of Fort Frances for an order validating its By-law No. 177 and the debentures thereunder. ($314.25 for sewers).

July 14. Application and material filed.

PROCEDURE FILE NO. 524.

In the matter of the application of the Township of Chapleau for an Order validating its By-law No. 19 for the issue of debentures to the amount of $31,000 to construct a system of Waterworks in said Municipality.

July 19. Material filed.
Sept. 11. Application and material considered and approved.
Sept. 11. Order.

Upon the application of the said Corporation, and upon reading the certified copy of the said By-law, the affidavits of George B. Nicholson, Reeve, W. H. Farrell, Clerk, W. H. Farrell, Treasurer, and James L. Darling, of the said Municipality, with the Exhibits thereto, and the other material, filed,

The Board orders that the said By-law Number 19, intituled, "Chapleau By-law No. 19. A By-law to authorize the issue of debentures of the Township of Chapleau in the District of Algoma and Province of Ontario, to the amount of Thirty-one Thousand Dollars, ($31,000), for the purpose of constructing a system of waterworks in the said Municipality," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Township of Chapleau, and declaring the same valid and binding and that its validity is not open to question in any Court on any ground whatever, and that the debentures issued under the authority of and in accordance with the said By-law be also approved and that the same be certified as provided by the said Act.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 525.

Between The Temiskaming and Northern Ontario Railway Commission, Applicant, and the Corporation of the Town of Haileybury, Respondent.

July 22. Application, Plan, Profile and Book of Reference filed.

Aug. 11. Objections to application filed by Solicitor for Nipissing Central Railway Co.

Aug. 14. Objections to application filed by Solicitor for Haileybury.

Sept. 9. 11 a.m. to 1.30 p.m. Hearing pursuant to appointment at request of Counsel, hearing adjourned to Council Chamber, Haileybury, at 2 p.m., Sept. 20, 1909.

Sept. 20. 1.30 p.m. View by Board of location of proposed spur.

Sept. 20. 2 p.m. to 5 p.m. Hearing continued and concluded. Judgment reserved pending inspection and report by H. W. Middlemist, the Board's Engineer.

Sept. 29. Judgment.

This is an application by the Temiskaming and Northern Ontario Railway Commission for leave to carry a spur line of the Railway along and across certain highways or streets of the Town of Haileybury, as shown upon the Company's plan of the spur filed with the Board.

The Corporation of Haileybury now neither approves nor disapproves of the location of the line but takes a position of neutrality. The application, however, is strenuously opposed by several of the property owners and ratepayers of the Town. Other owners and ratepayers are just as actively in favor of the spur. Speaking generally, the ratepayers who object to the location and construction of the proposed spur line, take the ground that it is unnecessary; that the freight traffic could be handled more easily from a wharf built at Moore's Cove; that the road known as the Lake Shore Road, along which the spur will run, will be interfered with; and that the building of the spur line along the water front of the Town will deface and mar its beauty and depreciate the value of property.

At one time, before the Temiskaming Commission commenced its construction, not only the Corporation of the Town of Haileybury, but nearly all the ratepayers were in favour of a spur line along the water front of the Town. The only difference of opinion was as to where it should come in, from the south or from the north. The local sentiment is now divided by the fact that an electric railway, known as the Nipissing Central, has been projected and has obtained a franchise from the Town of Haileybury for operation on certain of the streets. Before there was any prospect of the Nipissing Central being built, the Temiskaming Commission, yielding to the almost unanimous desire of the people of Haileybury, commenced the construction of the spur line from the main line and came in from the north along the water front, intending to have its terminus near the Government wharf. When the spur was constructed along the water front of the Town Limit at a cost of about $35,000, an injunction was obtained from the High Court and the Temiskaming Commission were compelled to stop short about a mile from the proposed terminus. The matter remained in abeyance for a considerable time pending legislation which would permit the application to this Board.

The Temiskaming Commission acted in good faith in proceeding with the construction of the work, and having spent so much money which will be comparatively useless if the spur is built no further, are desirous of completing it to the proposed terminus. They also say that it is necessary to do so in order to secure freight traffic and to more conveniently and economically serve the industries of the Town. They now ask leave to carry their line along the Lake Shore Road and across some of the streets that extend to the water edge of Lake Temiskaming to the proposed terminus. The greater portion of the spur, as projected on the plan, will be built on a right of way purchased by the Commission between the Lake Shore Road and the Lake, and will encroach only at certain points very slightly on the road allowance.

After hearing considerable evidence, the Board adjourned the further hearing of the application to Haileybury, and, accompanied by their Engineer, they examined upon the ground the location of the line. It was contended that a spur operated as a switch-back could be built coming in from the south leaving a larger part of the water-front untouched. The Board and their Engineer are of opinion that a spur coming in from the south could not be built by any reasonable expenditure, and that the grade would be so heavy as to render it comparatively useless for any practical traffic purposes.

The Board were very much impressed by Mr. McDougall's argument, and are very strongly prejudiced against the introduction of a steam railway along a water front. If this railway was a private enterprise, the Board would hesitate in granting leave to run along the water front. A very grave responsibility rests upon Mr. Englehart and his associates of the Temiskaming Commission. The Temiskaming and Northern Ontario Railway is the people's railway. The Commissioners are the trustees not only of the people's money but also of the people's business. Not only must they spend the people's money wisely and well, but they must look forward to secure business for the railway. They are operating the road as a commercial enterprise for the people, not for themselves, but upon business principles. It will be impossible for them to continue the successful operation of the road if this Board bars the avenue of traffic against them.

Haileybury is a very important town. The treasure that is being dug from the earth in its neighborhood, the riches of the yet incompletely explored mines, the wealth of the field and the forest, and the energy and enterprise of its citizens, will in all human probability make Haileybury one of the greatest (if not the greatest) and certainly the most beautiful city in Northern Ontario. Notwithstanding the City's splendid position it cannot afford to drive away one of its infant industries or cripple its trade by want of convenient and economical transportation facilities. It has been given in evidence before the Board that one of its most important industries, employing upwards of fifty men, will be obliged to close down and go somewhere else unless the proposed spur line is built. Many horrible examples have been cited to us by Mr. McDougall of the evils that follow by permitting railways to reach water fronts. Toronto, Hamilton, Barrie, Sarnia, Wiarton, have all been held up to our gaze. No good purpose is served by going into hysterics over these cases. In all probability if the railways had not been permitted to reach the water fronts when they did, these cities and towns would have their water fronts but they would have had nothing else.

The proposed spur is a single line and will be used for freight, not passenger trains. Mr. Englehart has pledged his oath that it will be used so as to cause the least inconvenience, and so as to make it as unobjectionable as possible to the owners of property fronting on the Lake.

After having gone over the location of the spur, the Board are of opinion that it will cause very little depreciation in the value of property and by reason of the high and commanding situation of the town its operation will be practically unobserved. If, however, it turns out that both the Temiskaming Commission and the Board are mistaken, the citizens of Haileybury are not without their remedy. Both Boards are the servants of Parliament, and if we unwittingly go wrong, the people of Haileybury can procure Parliament in the exercise of its sovereign authority to put us right. We think that we are serving the best interests, not only of Haileybury but of the people of Ontario at large, on whose behalf the Temiskaming Railway is being operated by Mr. Englehart and his associates, by giving the Commission leave to carry the spur in question along and across the highways of Haileybury. The Board reserves the approval of the plan, profile and book of reference, filed, until we have an opportunity of considering any variations that may be suggested by our own Engineer.

The Board makes no order as to costs except that the Temiskaming and Northern Ontario Railway Commission shall provide $20 in stamps on the approval of their plan, profile and book of reference.

Dated this Twenty-ninth day of September, 1909.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

Upon the application of the above named Applicant, made on the 9th and 10th days of September, 1909, for an order for leave to carry a spur line of its Railway along and across the highways or streets of the Town of Haileybury, in the presence of Counsel for the Applicant and Respondent and for the Nipissing Central Railway and for certain residents and property owners of the said Town of Haileybury, upon hearing read the application, upon examination of the plans, profiles and books of reference filed, and upon hearing the evidence adduced on behalf of all parties, and what was alleged by Counsel aforesaid, and judgment upon the said application having been reserved until this day,

1. The Board orders that the Applicant be and is hereby permitted to construct and operate a spur line of its Railway running from a point in the northerly limit of the said Town of Haileybury to a point in Farr Avenue, south of the Haileybury wharf, along and across the highways or streets of the said Town of Haileybury as shown on plans filed with the Board.

2. And the Board further orders that the said plans, profiles and books of reference be and the same are hereby certified, sanctioned and approved.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 526.

Between The Temiskaming and Northern Ontario Railway Commission, Applicant, and The Corporation of the Town of New Liskeard, Respondent.

July 22. Application, Plan, Profile and Book of Reference filed.

September 9. Order.

Upon the application of the above-named applicant for an order for leave to carry a spur line of its railway along and across the highways or streets of the respondent in the presence of Counsel for the applicant, upon hearing read the application, and upon examination of the plan, profile and book of reference filed, and upon hearing Counsel for the said applicant, no one appearing for the said respondent although duly notified, as appears by the affidavit of George W. Lee filed, and notice of application having been published as directed by the Board in the Temiskaming *Herald*, a newspaper published at the town of New Liskeard, in the District of Nipissing, on the twenty-ninth day of July, 1909. and the fourth day of August, 1909, as appears by the declaration of R. H. Parmenter filed.

1. The Board orders that the applicant is hereby permitted to construct and operate a spur line of its railway running from the main line at a point at or near the northerly limit of Agnes Avenue, in the said Town of New Liskeard, to Lake Temiskaming, along and across the highways or streets of the said Town of New Liskeard, as shown on plans filed with the Board.

2. And the Board further orders that the said plan, profile and book of reference be and the same are hereby certified, sanctioned and approved.

(Signed) JAMES LEITCH,
Chairman.

PROCEDURE FILE NO. 527.

In the matter of the application of the Town of Bruce Mines for an Order validating its By-law No. 48, authorizing the issue of Debentures to the amount of $10,000 and interest for a bonus to Fred. H. Lawrence, Lumber Manufacturer.

July 24. Application and material filed.

September 8. Application and material considered and approved. Order.

Upon the application of the said Corporation and upon reading the certified copy of the said By-law, the affidavits of Nolton H. Peterson, Mayor, and Thomas Sullivan, Clerk, of the said town and the other material, filed.

The Board orders that the said By-law Number 48, intituled, "By-law No. 48. A By-law to aid Fred. H. Lawrence in the construction of a sawmill and lumber manufacturing plant at the Town of Bruce Mines," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the Town of Bruce Mines, and declaring the same valid and binding, and that its validity is not open to question in any Court on any ground whatever, and that the debentures issued under the authority of and in accordance with the said By-law be also approved, and that the same be certified as provided by the said Act.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 528.

Hamilton vs. Hamilton Street Railway Company. (Application to have Company repair its portion of pavement on King Street, between James and Bay Streets.)

July 20. Application filed.

September 17. Applicants apply for appointment for hearing. Board issues appointment for October 6th, 11.30 a.m.

September 21. Reply filed.

November 4. 11.30 a.m. Hearing pursuant to arrangement with Counsel. Judgment reserved.

November 15. Judgment delivered in favour of applicants.

December 7. Formal order.

Notice of Application.

1. The Applicant is a Municipal Corporation constituted by the Statutes of the Province of Ontario.

2. The Respondent Company was incorporated as a Street Railway Company by an Act passed by the Legislature of the said Province, entitled, "An Act to incorporate the Hamilton Street Railway Company," by which the Respondent Company were authorized and empowered to construct, maintain, complete and operate a double or single iron railway, with the necessary sidetracks and turnouts for the passage of cars, carriages and other vehicles adapted to the same, upon and along such of the streets and highways within the jurisdiction of the Corporation of the City of Hamilton, and of any of the adjoining municipalities as the Company might be authorized to pass along, under and subject to any agreement to be made between the Council of the said City Corporation, the Applicant herein, and of said municipalities respectively, and the said Company, Respondent herein, and under and subject to any By-laws of the Corporation of said city and municipalities respectively, or any of them made in pursuance thereof, and to take, transport and carry passengers and freight upon the same by the force or power of animals or such other motive power as they might be authorized by the Council of said city and municipalities respectively by By-law to use, and to construct and maintain all necessary works, buildings, appliances and conveniences connected therewith, and full power was given to the directors to make all By-laws for the management of the Company, and also for entering into arrangements and contracts with the said city or municipalities.

3. The Applicant, on the 26th day of March, 1892, duly passed a By-law No. 624, under the authority of the said Act, whereby the consent, permission and authority of the Applicant was granted to the Respondent to construct, maintain and complete an electric street railway, consisting of double tracks with necessary cross-overs or single tracks, with necessary turn-outs or switches upon or along the streets of the City of Hamilton mentioned in said By-law, and to erect all necessary poles and wires and overhead construction along such streets for the completion of the railway on the trolley system, and to operate such railway by running cars thereon by means of electricity as a motive power during the term specified upon and subject to the conditions and agreements in said By-law mentioned or contained.

4. It was also enacted by Section 15 of the said By-law that the privileges thereby granted should extend until the 22nd day of December, 1913, and by a By-law which the Applicant passed on the 13th day of September, 1898, and Numbered 955, the said privileges were extended until the 22nd day of December, 1928.

5. On the 26th day of March, 1892, after the passing of said By-law, the Applicant and Respondent respectively, by deed covenanted and agreed with each other, as follows: The Respondent did thereby accept the said By-law and agree with the Applicant to pay to them the sums mentioned in the said By-law, and to perform, observe and comply with all the agreements, obligations, terms and conditions therein contained; and it was by said agreement declared that it had been approved by Francis MacKelcan, Esq., K.C., one of the Solicitors for the Applicant, testified by his marking each page thereof approved and adding his signature thereto, and the Applicant did thereby agree to accept and did accept the said agreement and declare the same to be the agreement required to be executed by the Respondent under the provisions of the said By-law, and that such By-law was therefore in full force and effect.

6. In pursuance of the consent, permission and authority of the Applicant granted by said By-law and agreement the Respondent constructed, maintained and completed an electric street railway upon and along the streets of the City of

Hamilton mentioned in said By-law, and erected all necessary poles and wires and overhead constructions for the completion of the said railway on the trolley system, and operated such railway by running cars thereon by means of electricity as a motive power during a portion of the year 1892, and have continued to operate said railway under said By-law and agreement until the time of the commencement of this action.

7. The said By-law No. 624 and the agreement mentioned in paragraph 6 hereof, were incorporated with and formed part of an Act of the Legislature of the Province of Ontario, passed on the 27th day of May, 1893, upon the petition of the Respondent, being Chapter 90 of the Acts of said Province, passed in the fifty-sixth year of Her late Majesty's reign, and were validated thereby.

8. By Section 5 of said By-law. No. 624 it was enacted as follows:

> "5. The space between the rails to be laid for the Railway, upon any paved or macadamized street, and for two feet outside of such rails, shall be by the said Company, and under the direction of and as required by the Board of Works in and for the said City, constructed and kept in repair with such suitable material as the said Board of Works may from time to time direct (the materials therefor to be supplied by or at the expense of the said City Corporation), and all dirt and filth caused by repairs to the said railway track shall be removed therefrom by the Company as may be directed and required by the said Board of Works, and the said Company shall also construct and keep in good repair crossings of a similar character to those adopted by the said City Council within the limits aforesaid, at the intersection of every such railway track and crossing thereof."

9. In the year 1894 the Applicant paved with Trinidad Asphalt that portion of King Street, between the west side of Bay Street and the west side of James Street, the Respondent then and ever since maintaining and operating a double track of railway on said portion of King Street.

10. The Respondent has wholly failed to perform its said covenant to keep in repair the portion of King Street aforesaid, although the Applicant was always ready and willing to pay the expense of supplying the materials for such repairs, but the Respondent in breach of its said covenant suffered the said portion of King Street to be and remain out of repair.

11. By section 16 of said By-law No. 624 it was enacted as follows:—

> "16. In case the said Railway Company shall fail to keep the streets in which their railway shall be laid, in good repair, according to the provisions of this By-law, and shall neglect to make such repairs for two days, after notice in writing from the City Engineer, Street Commissioner, or other officer having supervision of repairs of streets, served upon the President, Secretary, Superintendent, or other managing officer of the said Railway, specifying the repairs, then, and in such case, the City Corporation shall have the right to cause such repairs to be made, and to collect the cost thereof from the Railway Company."

12. On the 14th day of June, 1909, the City Engineer caused to be served on the Respondent a notice to put in good repair according to the provisions of the said By-law all that portion of pavement which is embraced between the outer rails of the Respondent's railway tracks and for two feet outside of such rails on King Street, from James Street to Bay Street, but the Respondents have neglected to so repair the said pavement.

13. The Applicant prays as follows:—

(1) That an Order may be made by The Ontario Railway and Municipal

Board compelling the Respondent to put in good repair according to the provisions of the said By-law all that portion of pavement which is embraced between the outer rails of the Respondent's railway tracks and for two feet outside of such rails on King Street, from James Street to Bay Street.

(2) That the said Board construe and determine the agreement between the Applicant and Respondent as set forth in said By-law No. 624.

14. This application will be heard by the Board after ten days from the service thereof, at such time and place and in such manner as the Board may order and direct.

15. This notice is given by Frank Russell Waddell, of the City of Hamilton, in the County of Wentworth, Solicitor for the Applicant.

Dated at Hamilton this 19th day of July, A.D. 1909.

(Signed) F. R. Waddell,
City Hall, Hamilton,
Solicitor for the Applicant, the Corporation of the City of Hamilton.

Reply.

1. The reply of the above-named Respondent to the notice of application of the above-named Applicant.

2. Except as specifically admitted, the Respondents deny the allegations contained in the notice of Application.

3. The Respondents say that this matter is not within the jurisdiction of the Ontario Railway and Municipal Board.

4. The Respondents say that in By-law Number 624 and the agreement executed in pursuance thereof, they are not required to keep in repair the pavement for two feet outside of the outside rails on the streets mentioned in said application.

5. The Respondents further say that the Applicant has not properly complied with the provisions of By-law Number 624 preliminary to requesting the Respondents to repair the pavement mentioned in the application.

6. This reply is made by Gibson, Osborne, O'Reilly & Levy, Solicitors for the above-named Respondents.

Dated at Hamilton this 1st day of September, A.D. 1909.

Gibson, Osborne, O'Reilly & Levy,
Of Bank of Commerce Chambers, Hamilton,
Solicitors for the above-named Respondents.

Opinion of the Board.

This is an application by the City of Hamilton against the Hamilton Street Railway Company for an Order to compel the Company to put in good repair, according to the provisions of By-law No. 624 of the City and covenant of the 26th of March, 1892, which, together, form the agreement between the City and the Company, all that portion of the pavement which is embraced between the outer rails of the Company's railway tracks and for two feet outside of such rails on King Street from James to Bay Streets.

On the 14th of June, 1909, A. F. McCallum, the City Engineer, gave the Company notice in writing to put these streets in repair, according to the provisions of By-law No. 624, for two feet outside of the rail with similar materials to those of which the roadway was constructed, the City being ready to furnish the materials when the Company were ready to proceed with the work. The Company received this notice, but refused to comply with it, and denied the City's right to have the repairs made by the Company.

Counsel upon the argument stated that the sole difficulty was as to the repair of the two feet outside of the rails. It was contended by Mr. Osborne, on behalf of the Company, that reading Section 11 along with Section 5 of the By-law the Company were not bound to keep the two feet outside of the rails in repair. The Board dissent this argument.

The Board are of opinion that the repairs outside of the rails are regulated by Section 5 of the By-law. Section 11 provides for paving or re-paving and repair of the space between the rails. The Board are of opinion that the Company under Section 5 of the By-law are bound to repair the pavement for two feet outside of the rails on the streets mentioned in the application.

Counsel for the Company contends that the City must seek their remedy under Section 16 of the By-law, and that if the Company fail to keep the streets in good repair, according to the provisions of the By-law that the City's only right is to cause such repairs to be made and to collect the cost from the Company. In reply to this the City invokes Section 63 of the Ontario Railway and Municipal Board Act, 1906, and asks that the Company be compelled to specifically perform the agreement with the City. What the City asks is that the Company do the work of repair themselves. The Board are of opinion that the Company has committed a breach of the agreement with the City and have neglected and refused to repair the two feet outside of their rails on the streets mentioned in the application. The Board think it reasonable and expedient to order and direct the Company forthwith to make the repairs on the said streets for two feet outside of their rails with material which the City are ready and willing to supply.

The Board makes no order as to costs except that the Company shall pay $10 for stamps on the formal order.

Dated this fifteenth day of November, 1909.

(Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

1. This application coming on for hearing this fourth day of November, 1909, before this Board at the City of Toronto, in presence of Counsel for both parties, upon hearing the evidence adduced and what was alleged by Counsel aforesaid, this Board was pleased to direct this action to stand over for judgment and the same coming on this day for judgment;

2. This Board doth order and adjudge that the above-named Respondent do forthwith put in good repair, according to the provisions of By-law No. 624 of the City of Hamilton, that portion of the pavement for two feet outside of the outer rails of the Respondent's tracks on King Street from James Street to Bay Street, in the City of Hamilton, suitable materials therefor to be supplied by or at the expense of the Applicant.

3. And this Board doth further order and adjudge that there be no costs of this application except that the Respondent shall pay ten dollars for stamps on this order.

(Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

Procedure File No. 529.

In the matter of the application of the Village of Brussels for an Order validating its By-law No. 11, 1909, to authorize the issue of debentures to defray the cost of the construction and installation of a Municipal Telephone System in said village, and the Townships of Grey, Morris and East Wawanosh, to be known and designated as "The Brussels, Morris and Grey Telephone System."

September 8. Application and material filed, considered and approved.

September 8. Order.

Upon the application of the said Corporation, and upon reading the affidavit of Finlay Stewart Scott, Clerk, of the said village, the certified copy of the said By-law, and the other material, filed.

The Board orders that the said By-law Number 11, 1909, intituled, "By-law No. 11, 1909, to be known and designated as 'The Brussels, Morris and Grey Telephone System By-law,' By-law No. 11, 1909, being a By-law of the Municipal Council for the Corporation of the Village of Brussels, providing for the issue of Debentures to defray the cost of the construction and installation of a Municipal Telephone System in the Village of Brussels and the Townships of Grey, Morris and East Wawanosh, to be known and designated as 'The Brussels, Morris and Grey Telephone System,'" be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the Village of Brussels, and declaring the same valid and binding, and that its validity is not open to question in any Court on any ground whatever, and that the debentures issued under the authority of and in accordance with the said By-law be also approved, and that the same be certified as provided by the said Act.

(L.S.) (Signed) James Leitch,
Chairman of the Ontario Railway and Municipal Board.

Procedure File No. 530.

In the matter of the application of the Village of Beaverton for an Order validating its By-law No. 72, authorizing the issue of debentures to the amount of $7,000 and interest to purchase a school site and erect a school house thereon.

September 8. Application and material filed, considered and approved.

September 8. Order.

Upon the application of the said Corporation and upon reading the Notice of Application filed by Martin H. Roach, Solicitor for the Applicants, the certified copy of the said By-law and the affidavits of Charles A. Paterson, Town Clerk, and Arthur William Talbot, Reeve, of the said Village, and the other material, filed.

The Board orders that the said By-law Number 72, intituled "By-law No. 72. A By-law to authorize the Municipal Council of the Village of Beaverton in the County of Ontario to raise the sum of $7,000 by the issue and sale of debentures for the purpose of purchasing a school site and the erection of a school house thereon to provide accommodation for Continuation School," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the Village of Beaverton, and declaring the same valid and binding and that its validity is not open to question in any Court on any ground whatever, and that the debentures issued under the authority of and in accordance with the said By-law be also approved and that the same be certified as provided by the said Act.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE No. 531.

In the matter of the application of the Town of Sudbury for the approval of its By-law No. 226, for the issue of debentures to the amount of $11,806.50 for the extension of its Waterworks System.

September 8. Application and material filed, considered and approved.

September 8. Order.

Upon the application of the above named Corporation and upon reading the Notice of Application, filed by Messrs. Clary & Buchanan, Solicitors for the Applicant, the affidavits of John McLeod, Mayor, and George Elliott, Clerk, of the said Town, the certified copy of the said By-law, and the other material, filed.

The Board orders that the said By-law Number 226 of the Municipal Corporation of the Town of Sudbury, intituled "By-law No. 226. A By-law to provide for the extension of the waterworks system in the Town of Sudbury, and to raise the sum of $11,806.50 for the said purpose," be and the same is hereby approved.

(Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE No. 532.

In the matter of the application for annexation to the City of Hamilton of certain lands in the Township of Barton more particularly described in the resolution passed by the Municipal Council of the Corporation of the City of Hamilton on the 30th day of August, 1909.

September 1. Resolution of Hamilton City Council and Petition for annexation filed.

September 14. Board appoints Monday, 27th inst., at 11.30 a.m., for the hearing, at its Chambers.

September 27. 11.30 a.m. to 1.30 p.m., hearing. Petition held sufficient, annexation decreed. Hearing adjourned to November 2 at 11.30 a.m., pending negotiations as to terms with Township and certain property owners.

November 2. 11.30 a.m. to 5.30 p.m. Hearing continued pursuant to adjournment and form of order finally settled.

November 26. Further amendments to formal order having been made at request of and by consent of counsel.—Formal Order.

APPOINTMENT FOR HEARING.

Notice is hereby given that the Municipal Council of the Corporation of the City of Hamilton has by resolution passed on the 30th day of August, 1909, declared the expediency of the annexation to the City of Hamilton of that portion of the Township of Barton more particularly described in the said resolution, and that the said resolution and a petition signed by an alleged majority of the ratepayers of the said portion of the Township of Barton described in the said resolution, praying for such annexation have been filed in the offices of the Ontario Railway and Municipal Board, and notice is further given that the Board hereby appoints Monday, the 27th day of September, A.D. 1909, at the hour of half-past eleven o'clock in the forenoon at its Chambers in the Manning Chambers, in the City of Toronto to hear the application for annexation to the City of Hamilton of that portion of the Township of Barton described in the said resolution passed by the said Council.

Dated at Toronto this 14th day of September, 1909.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

ORDER.

In the matter of the application for annexation to the City of Hamilton of certain lands in the Township of Barton, more particularly described in the resolution passed by the Municipal Council of the Corporation of the City of Hamilton on the 30th day of August, 1909.

Upon the application of the said applicants, made on the 27th day of September, A.D. 1909, and upon reading the petition of the said applicants and the resolution of the Council of the Corporation of the City of Hamilton, passed on the 30th day of August, A.D. 1909, and upon hearing what was alleged by counsel on behalf of the said applicants and other ratepayers of the said Township, the Corporation of the City of Hamilton and the Corporation of the Township of Barton;

This Board doth order and proclaim that the portion of the Township of Barton, in the County of Wentworth, described as follows: Commencing at the intersection of the easterly limit of Sherman avenue, being the original allowance for road between lots eight and nine in the Township of Barton with the brow of the mountain; thence easterly along the brow of the mountain to a point 150 feet east of the division line between lots four and five in the said Township; thence northerly along a line 150 feet east of and parallel to the said division line between said lots four and five to a point where such line would intersect the southerly side of the Waterworks Pipe Line; thence along the southerly side of the said Waterworks Pipe Line to the easterly limit of the allowance for road between lots two and three of the said Township; thence along the easterly limit of the said allowance for road between lots two and three to the northerly limit of Barton street, being the allowance for road between the first and second concession of said Township; thence along the northerly limit of Barton street to the easterly limit of Ottawa street, being the allowance for road between lots four and five in the said Township; thence along the easterly limit of Ottawa street to the southerly limit of the right of way of the main line of the Grand Trunk Railway Company; thence along the said southerly limit of the said right of way to the division line between lots three and four in the said Township; thence northerly along the said division line between lots three and four to Burlington Bay; thence westerly along the margin of Burlington Bay across Ottawa street, produced, northerly to the limits of the said City; thence southerly and westerly to the limits of the said City; thence southerly and westerly, following the said City limits to the place of beginning; be and the same is hereby annexed to the said City of Hamilton; the said annexation shall take effect upon and subject to the following terms and conditions, namely:

1. (*a*) The City of Hamilton shall pay to the Township of Barton the amount of the debentures and loans issued and contracted in respect of Public School Section No. 8 of the Township of Barton, and interest thereon, as they respectively become due.

(*b*) The City of Hamilton shall pay to the Township of Barton the proportion which the part annexed bears to the whole of the territory respectively of Public School Sections 1 and 2 of the debentures and loans issued and contracted in respect of School Sections 1 and 2, and interest thereon, as they respectively become due.

(*c*) The City of Hamilton shall permit the children residing in that part of School Section No. 1, not annexed to the City, to attend the Ottawa Street School until the 1st day of July, 1910, free of charge, except books.

2. The Trolley Street and Ottawa Street Schools, and the school properties in the annexed territory, and the lands connected therewith, together with all furniture, school equipment and chattel property used in connection therewith, shall vest absolutely in the City of Hamilton, and the City of Hamilton shall pay to the Boards of said schools the proportion of the value thereof, to which they may be entitled, if any, to be fixed by arbitration as provided by the Municipal Act in case the parties differ.

3. The Board of Education of the City of Hamilton shall retain the several teachers employed in the Trolley Street and Ottawa Street Schools until the expiration of their contracts with the Trustees of the said respective school sections, and pay their salaries after the 1st day of January, 1910.

4. The City of Hamilton shall, on the 14th day of December, 1909, pay to the Township of Barton the cost of construction of the cement sidewalk on Sherman avenue during the year 1908, over and above the amount of the debenture issued in respect of said sidewalk, and shall pay said debenture, and interest thereon, as they respectively mature, and the City of Hamilton shall be entitled to levy and collect from the ratepayers the yearly amounts assessed against such ratepayers for such sidewalk.

5. The City of Hamilton shall pay to the Township of Barton, on the 14th day of December, 1910, and thereafter annually during the currency of the Good Roads debentures issued by the County of Wentworth, the amount which would have been levied upon the said property to be annexed in respect of such debentures if the said lands had remained part of the Township of Barton and were assessed each year at the amount said lands were assessed for the year 1909, and a rate were struck each year at the same rate as fixed by the Township Council of Barton for the year 1909, and all former toll roads purchased by the said County in the annexed territory shall vest in the City of Hamilton.

6. The annexed territory shall be liable for its proportion of the debenture debt of the City of Hamilton now existing, and the taxes, assessments, rents, water, local improvement, school and other rates to be levied and raised in respect of the said annexed territory shall, for the year 1910, and thereafter be the same, and payable at the same time and in the same manner as the taxes, assessments, rents, water, school and other rates levied and raised from time to time on the property within the old boundaries of the City, as such boundaries existed on the 1st day

of January, 1891, and the assessment of the said annexed territory shall for the year 1910 and thereafter be on the same basis and made at the same time and in the same manner as in the said old boundaries of the City, except that the assessment of the said annexed territory for the year 1910 may be taken by the City Assessors at any time prior to the passing of a by-law striking the rate of taxation for the said year 1910, and the owners and occupiers shall be notified of such assessment as required by the Assessment Act and shall have the same right to appeal to the Court of Revision and County Judge as is provided therein, and the Council of the City may, by by-law, determine the dates for the returns of the assessment rolls, the time for closing the Court of Revision and the final returns by the Judge, and the Corporation of the Township of Barton shall, by the 15th day of November, 1909, furnish the City Clerk with certified copies of the Assessment Roll for the year 1909 of the portion of the Township hereby annexed. For the purpose of municipal elections and voting in the year 1910, the City Clerk shall extract from the certified Voters List of the Township and place in the Voters List for the said City, in their respective wards, a supplementary list containing the names of the persons who would have been entitled to vote in the territory annexed if no such annexation had been made.

7. (*a*) That part of the annexed territory described as follows: Commencing at a point where a line drawn parallel to, and one hundred and fifty feet easterly of the easterly limit of Trolley street (being the original allowance for road between lots six and seven of the Township of Barton) would intersect the brow or brink of the mountain; thence easterly along the brow or brink of the mountain to a point where a line drawn parallel to, and one hundred and fifty feet easterly of, the easterly limit of Ottawa street (being the original allowance for road between lots four and five of the said Township of Barton) would intersect the brow or brink of the mountain; thence northerly along the said line drawn parallel to and one hundred and fifty feet easterly of the easterly limit of Ottawa street to a point where said line would intersect a line drawn parallel to and one hundred and fifty feet southerly of the southerly limit of King street; thence westerly along the said line drawn parallel to and one hundred and fifty feet southerly of the southerly limit of King street, and following a line drawn one hundred and fifty feet southerly of the southerly limit of Main street to a point where the last mentioned line would intersect the said line drawn parallel to, and one hundred and fifty feet easterly of the easterly limit of Trolley street; thence southerly along the said line drawn parallel to and one hundred and fifty feet easterly of the easterly limit of Trolley street to the place of beginning, shall not be assessed for the years 1910 to 1921 inclusive, for any greater amount than they were assessed at by the Township Assessor for the year 1909, except that where any portion of the lands described in this sub-section shall be built upon or improved, or has been or shall hereafter be sub-divided into parcels or lots, the Corporation of the City of Hamilton shall be at liberty, in its discretion, from time to time during the said years 1910 to 1921 inclusive, to assess the said lands, or any of them, in the same manner as property in the said old boundaries of the city.

(*b*) Those portions of the annexed territory described as follows: Those portions of lots four in the Broken Front and First Concessions of the Township of Barton lying northerly of the northerly limit of the right of way of the Grand Trunk Railway main line, and that portion of lot five in the first concession lying northerly of what is known as the Beach Road shall not be assessed for the years 1910 to 1924 inclusive, for any greater amount than they were assessed at by the Township Assessor for the year 1909, except that where any portion of the lands described in this sub-section shall be built upon or improved or has been or shall hereafter be sub-divided into parcels or lots, the Corporation of the City of Hamilton shall be at liberty, in its discretion, from time to time during the years 1910 to 1924 inclusive, to assess the said lands or any of them in the same manner as property in the said old boundaries of the City.

(*c*) From the date of this Order until the year 1921 inclusive, in the territory mentioned in sub-section (*a*) of this paragraph, and from the date of this order until the year 1924 inclusive, in the territory mentioned in sub-section (*b*) of this paragraph, the opening, altering, widening, extending, macadamizing, grading, paving, draining, lighting, cleaning and watering of streets and alleys, the work of curbing and sodding, the construction and alteration of sidewalks and sewers and all other improvements and services for which special rates may be imposed, pursuant to the provisions of the Municipal Act, including the collection of garbage, shall be done as local improvements, as provided for in the local improvement clauses of the said Act, and the whole cost thereof shall be paid by the property owners in manner therein provided and shall be assessed upon the real property benefited thereby.

(*d*) Should a sewer be constructed under the local improvement plan or in any other manner, whereby any property in the portion of the annexed territory described in sub-sections (*a*) and (*b*) of this paragraph is or may be benefited, and water is not supplied to such property, the property benefited by the construction of such sewer shall (until such time as such property is assessed in the same manner as property in the said old boundaries of the City mentioned in paragraph 6 hereof) pay a reasonable rate for the cost of interception, purification and treatment of the sewage, such rate to be fixed by the Council of the City of Hamilton, subject to an appeal by the property owner to the County Judge.

(*e*) The City of Hamilton shall supply the owners of property in the portion of the said annexed territory described in sub-sections (*a*) and (*b*) of this paragraph with water when required at the same rates as property in the said old boundaries of the City, the applicants for such water supply to pay all the costs and expenses of service pipes and of the introduction of water.

(*f*) When a water service main is hereafter laid along any street or highway in that portion of the annexed territory described in sub-sections (*a*) and (*b*) of this paragraph, the property fronting on such street or highway, or which is benefited thereby, and all premises in such portion of annexed territory that now or may hereafter have City water introduced therein, shall pay water rates based on assessments made by the Assessors of the City of Hamilton for water rates purposes.

(*g*) Notwithstanding anything in this paragraph contained it is hereby declared that if, during any time before the said year 1921, the City shall supply water upon the request of any property owner in the portion of the annexed territory described in sub-section (*a*) of this paragraph, and if, during any time before the said year 1924 the City shall supply water upon the request of any property owner in the portions of the annexed territory described in sub-section (*b*) of this paragraph, and shall construct a sewer (as a local improvement or otherwise) whereby the property of such owner is or may be benefited, the City shall be at liberty, in its discretion, to assess the property benefited thereby of such owner in the same manner as property within the said old boundaries of the City mentioned in paragraph 6 hereof, and when such property is so assessed it shall be excluded from the terms of sub-section (*c*) of this paragraph, and any local improvement rates thereafter falling due in respect of such property shall be re-adjusted by the Council of the City of Hamilton, subject to an appeal by the property owners to the County Judge.

8. Sewers shall, upon due request therefor, be constructed in the annexed territory, exclusive of those portions mentioned in paragraph 7 hereof, under the provisions of the Municipal Act respecting local improvements, the cost of such sewers to be paid for by the property owners by a frontage tax and assessed upon the real property benefited thereby according to the provisions of the said Act.

9. The City shall assess the properties on the east side of Sherman avenue, from opposite Wilson street to Barton street in the annexed territory (which have not already paid to the City of Hamilton their share of the cost thereof) for the sum of sixty-four and four-tenths cents per foot frontage payable in six annual instalments with interest, towards the cost of the sewer constructed on Sherman avenue, and the properties on the said portion of Sherman avenue shall be entitled to sewer connection in the same manner as other City property.

10. Where any person or corporation has heretofore paid any sum towards the cost of any local improvements (for which like improvements lands in the City are assessed) in the said annexed teritory, and the properties benefited thereby have not been assessed for such local improvements, and any such person or corporation claims the right to be compensated for such improvements, the City shall, provided other properties are benefited thereby and such improvements are in good condition, and are, in the opinion of the City Engineer, of sufficient capacity and suitable for the purposes of the City Corporation, assess the real property benefited by such improvements for the cost thereof, and pay such person or corporation who paid for or contributed towards such improvements, the value thereof to be determined by the City Engineer, less any portion thereof that may be assessed against the property of such owner.

11. (1) Water mains shall be laid by the City in the annexed territory upon due request therefor, but the City shall not be bound to lay such mains unless the additional revenue to be immediately derived therefrom shall be sufficient, in the opinion of the City Engineer (subject to an appeal to this Board), to meet the annual special rate required to pay the necessary debentures to be issued to pay the cost thereof and interest.

(2) Except as provided in paragraph 7 hereof, the expense of introducing service pipe into the houses, stores and other buildings in the said annexed territory, shall be borne by the City and the work performed by the City, where the wall of any such house, store or building is not more than fifteen feet from the limit of the street on which the service main is laid: and where the wall of any such house, store or building is more than fifteen feet from the limit of said street, the water taker shall pay the cost of the service pipe beyond fifteen feet from the limit of said street.

(3) Lands used as farm or market garden lands in the said annexed territory fronting on Barton, King, Main and Ottawa streets, in which force water mains are laid, shall not be assessed for water rates unless or until a water service main is laid in said streets on which said lands abut or until the water is introduced into any such lands or portion thereof, when such lands or portion thereof

shall immediately become liable to assessment for water rates in same manner as property in the old boundaries of the City; but the City may assess such lands for street watering when such service is performed.

12. The Township of Barton having, on the 23rd day of February, 1909, entered into a contract with Thomas Barnes for the construction of a number of cement sidewalks on various highways in the Township of Barton, a large portion of which are in said annexed territory, some of which sidewalks are constructed and some in course of construction, and all of which sidewalks are being built on the local improvement plan, part of the cost thereof being payable by and chargeable against the property benefited thereby and part by the said Township of Barton, and the property owners have been assessed for their proportion, payable in twenty equal anual payments, and debentures have been issued by said Township for payment for same, which debentures are a charge against the property benefited and are guaranteed by the Township at large. It is ordered that the Township complete the construction of said sidewalks in said annexed territory in accordance with the terms of said contract, and that the City of Hamilton do pay to the Township of Barton, on the 14th day of December, 1910, and on each succeeding 14th day of December during the currency of said debentures, the proportion of the sinking fund and interest on said debentures which the cost of said sidewalks in said annexed territory bears to the whole of said debentures and interest, and the City of Hamilton will pay 40 per cent. of the amount necessary to pay the said debenture debt and interest incurred for the said sidewalks, the ratepayers paying the other 60 per cent., which Hamilton shall have power to assess for and collect from them. The City of Hamilton shall be subrogated for Barton in all the rights that Barton has under the contract of the 23rd of February, 1909, with Thomas Barnes as to the sidewalks within the said annexed territory.

13. That part of the annexed territory lying southerly of King street shall form part of Ward Number One of the said City of Hamilton, and that part of the annexed territory lying northerly of King street shall form part of Ward Number Seven until a new ward is created or a re-division of wards is made.

14. The City of Hamilton, upon the application of any property owner. may, in its discretion, for any period not exceeding fifteen years from the first day of January, 1910, assess the lands of such owner in the annexed territory. at the same assessment as they were assessed at by the Township assessor for the year 1909, and may levy a rate upon the assessment so made equal to the total rates levied by the Township of Barton for the year 1909, and may at any time, and from time to time in its discretion, raise such assessment and rates.

15. The taxes and rates imposed for the year 1909, or any previous year, upon any of the lands included in the territory hereby annexed, together with income, business and dog taxes of residents of said territory, shall, if not heretofore paid, be collected by the Township of Barton, and all right to collect the same, including distress for non-payment, or, if necessary, the sale of the said lands or any of them, shall remain in the said Township as though this order had not been made.

16. This order shall come into force and effect from and after the 1st day of November, 1909.

(L.S.) (Signed) JAMES LEITCH,

Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE No. 533.

In the matter of the application for annexation to the Town of Midland of part of the Township of Tay.

July 14. Petition filed.

August 3. Resolution of Midland Town Council filed.

September 21. Petition filed, appointment for hearing applied for.

December 9. Board arranges with Counsel to have view at Midland on 22nd inst., at 11.30 a.m. Hearing at its Chambers in Toronto on 23rd inst., at 11.30 a.m.

December 22. Hearing at Midland pursuant to arrangement, application dismissed—Petition for annexation being insufficiently signed.

PROCEDURE FILE No. 534.

Between The Coniagas Mines, Limited, Appellant, and The Corporation of the Town of Cobalt, Respondent. (Assessment Appeal).

September 9. Application filed.

September 22. Wednesday, November 3, at 11.30 a.m., fixed for hearing.

September 30. Further notice of application filed.

November 3. 11 a.m. to 1 p.m. Hearing pursuant to appointment. Judgment reserved.

November 4. Judgment delivered.

November 8. Notice of motion for leave to appeal filed by applicants.

This is an Appeal from the Court of Revision of the Town of Cobalt.

The Town of Cobalt was incorporated on the 26th December, 1906, under the authority and pursuant to Statutes of Ontario, 1902, 2 Edward VII., Chapter 30. The Board are of opinion that if this appeal cannot be heard under Subsection 1 of Section 48 (*a*) of the Act respecting the Establishment of Municipal Institutions in Territorial Districts, Statutes of Ontario, 1905, 5 Edward VII., Chap. 24, it can be maintained under Section 76 of the Assessment Act. Under Section 76 the amount of the assessment made by the assessor on one or more properties is the determining factor. If the assessment aggregates $20,000 an appeal lies to the Board under Section 51 of the Ontario Railway and Municipal Board Act.

In this case the total assessment is $21,475. The Court of Revision reduced it to $17,700. Mr. Ross, on behalf of Cobalt contends that it is the assessment as reduced by the Court of Revision that determines whether the appeal is under Subsection 1 of Section 48 (*a*) of the Act respecting the Establishment of Municipal Institutions in Territorial Districts, or under Section 76 of the Assessment Act. The Board are of the opinion that it is the assessment as fixed by the assessor, and not the amount of the assessment as fixed by the Court of Revision, which determines the jurisdiction of the Board.

The appeal is in respect of the assessment of lots 219, 253, 254, 255, 256, 273, 274, 275, 276, 277, 278, and the west half of 236, in the Town of Cobalt, shown on a map or plan produced to the Board. The land marked on the plan enclosed in red ink shows the whole of mining location J. B. 6, the Coniagas Mine. The patent of this location was issued to W. G. Trethewey and R. W. Leonard. It covers the mines, minerals and mining rights. The above mentioned lots on the south end of the property were set apart as a town site and were sold by auction by the T. & N. O. Ry. Commission Various parties bought them in.

The lots were subsequently acquired by the Coniagas Company from the purchasers from the T. & N. O. Ry. Commission. Shortly: the Company first bought the mineral rights and afterwards acquired the surface rights. There are about twenty houses on these lots. They are rented to workmen in the mine.

Mr. Collier contends, that, the Coniagas Company, being the owners of the mineral rights in J. B. 6 when the lots in question (the surface rights) were purchased by the Company, they became mineral lands within the meaning of Subsection 3 of Section 36 of the Assessment Act of 1904 and should be assessed as such. The Board cannot subscribe to that view. If the lots (the surface rights) are used for puruoses distinct and separate from the mine, as these lots are, they are not mineral lands within the meaning of the Assessment Act. Of course, surface rights may be so used in connection with mines as to constitute them part and parcel of the mineral lands. That, however, is not the case here.

The Board therefore dismiss this appeal, but without costs, except that the Coniagas Company shall pay $10 for the stamps on the formal order.

Dated this Fourth day of November, 1909.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 535.

In the matter of the application of the Ontario West Shore Electric Railway Company for the approval of their Plan, Profile and Book of Reference, in the Township of Colborne in the County of Huron.

September 7. Several ratepayers having by Petitions filed objected to railway being constructed on highway at and near the Junction of the Lake Shore Gravel Road to Kincardine, etc., and the Northern Gravel Road from Lucknow, etc., to Lake Huron, the Board appoints September 15, at its Chambers for hearing.

September 15. Hearing. Judgment reserved pending inspection by Vice-Chairman and Engineer and Report of Engineer.

September 23. Engineer's Report received, and Judgment delivered.

43 Janes Building, Toronto.
September 22, 1909.

To The Chairman of The Ontario Railway and Municipal Board,
Toronto.

Sir,—I beg to report that on Friday last, September 17th, I went to Goderich in company with Mr. Ingram of your Board. Mr. Moyes, President of the Ontario West Shore Railway, furnished transport. We went out to the crossing in question, and found the railway graded up to the wood-working shop marked on the accompanying plan at the Goderich end of Dunlop. Up to this point the railway runs on private right of way purchased by the Company, on the east side of the main road from Goderich to Kincardine, but from this shop the line curves out, on a ten degree curve, to the high road to avoid the Hotel at the northeast corner of the Auburn road crossing perpendicular to the Goderich-Kincardine road at this place.

Opposite the Hotel the centre of the track as shown on the Company's present plan would be, if laid, about 27 feet from the stone foundation wall of that building, but from the wood-working shop where the track would turn west towards the highway, no work has been done awaiting the decision of your Board as to its final location on the said highway.

The railway track would follow along the road from the hotel, north, for about 250 feet, when it again passes on to private right of way on the east side of the Goderich-Kincardine road.

It would appear that certain persons object to the Company building its tracks on the highway, although, I understand, they have had permission from the Local Council to do so, provided they do not put in sharper curves than ten degrees, and keep out from the hotel, so that persons driving west along the Auburn road and crossing the track can see past the corner of this building which stands right alongside both highways. These persons, I understand, want the Company to either move the hotel, or buy it out, if it can be bought, and thus keep wholly to a private right of way. Upon examination of the site I found the hotel was built on stone walls for about two feet above the ground level, the balance of the building being of wood. To move the building back from the road is out of the question for there is a driving shed and a barn built right on to it, along its south front, and leaving out the cost of moving, there would be no room, because all the buildings between them take up the whole front of the lot. Besides, there is a cellar under the hotel, and all the stone walls would have to be pulled down and rebuilt, and the cellar changed, and in fact, it would simply mean the destruction of the hotel altogether—and the advantage gained by this removal would not be of any account, because the shed and barn, as well as an orchard at the north of the buildings would cut off all view of the cars coming south for a considerable distance, in fact nothing of the cars could be seen by vehicles coming west along Auburn road for at least three or four hundred feet from the corner.

Having investigated this carefully, I came to the conclusion that the best way out of the difficulty was to allow the Company the use of the highway as granted them by the Council, but at the same time to keep them as much out of the travelled portion of the road as possible, so I have brought their centre line in five feet east of its location on their plan, thus removing the track from the main travelled road, making it now 22 feet from the stone foundation wall of the hotel instead of 27 feet, and also reducing the curvature of their track as shown on my plan accompanying this report.

You will see that at the wood-working shop I have retained their ten degree curve, but have reduced all the others as follows, viz.: where they have a ten degree curve shown to the left I have substituted a four degree, and north of the hotel where they have a ten degree reverse curve to get from the high road to their private right of way I have put in a reverse curve of eight degrees and forty minutes.

While this change brings the track five feet nearer the building, yet it makes little or no difference to persons coming west on the Auburn road and wishing to cross the track, for, as I have stated above, nothing short of the total removal of all the buildings and the destruction of the orchard, could enable them to see the cars coming south, therefore I would strongly advise your Board to issue an Order for all south-bound cars, at any rate, to come to a stop right at the south corner of the hotel before crossing the Auburn road and to ring a gong before starting again, so that they can be seen and heard by persons using the highway, and I consider this should effectively prevent any accidents at any time of the day or night. In order that the travelled portion of the roads should be wide enough for vehicles to pass safely, I fully endorse the proposed changes of the Company shown in brown on their plan for filling up the sides of the roads and making level with the travelled portion, the same to be done to the entire satisfaction of the Reeve and Council of the locality, proper care being taken to pipe through all portions of the road ditches thus filled in for the removal of any surface water.

If this is done properly, and the cars are stopped as advised above, I consider that this crossing will be as safe as it is possible to make any railway crossing without gates, which are not necessary at all in this case.

In conclusion, by bringing the track in five feet nearer the hotel it is removed from the main travelled portion of the road, the curvature is reduced, and no extra expense is laid upon the Company, for they have done no work on the highway as yet, and by stopping the south-bound cars at the south end of the hotel and ringing a gong before starting again the safety of persons driving along the east and west road is practically assured, and consequently doing away with the expense of tearing down the buildings and orchard referred to above.

Trusting this report will meet with the approval of yourself and the Board,

I beg to remain,
Yours faithfully,

(Signed) H. W. Middlemist, A.M.I.C.E.
Inspecting Engineer.

On the application for the approval of the plan, profile and book of reference of the above railway in the Township of Colborne, a petition, signed by a large number of ratepayers of the Township, was filed with the Board by Colonel Varcoe, objecting to the location of the line on the highway at Dunlop, known as the Lake Shore Road, where it is crossed by what is known as the Northern Gravel Road.

The Board on the 15th inst. heard the applicants and the parties opposed to the location of the road as shown on the Company's plan filed with the Board. After hearing the parties the Board concluded to have the location in dispute examined by the Vice-Chairman and Mr. Middlemist, the Engineer of the Board. Mr. Middlemist has reported the result of the examination, and a copy of his report is hereto annexed. The Board have concluded to approve of the Company's plan, profile and book of reference when the plan is altered and amended to conform with Mr. Middlemist's plan and report.

Upon the approval of the Company's plan by the Board the Council of Colborne, in pursuance of Section 198 of the Railway Act of 1906, can pass a by-law, keeping in view the terms of Mr. Middlemist's report, authorizing the Company to construct their Railway along the highway in question. If the by-law is so passed and the proper safeguards provided for, it will no doubt obviate an application to the Board to quash and thereby save further trouble and expense.

The Board makes no order as to costs except that the Company shall provide $10 for stamps on the approval of the plan.

Dated this 23rd day of September, A.D. 1909.

(L.S.) (Signed) James Leitch,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE No. 535a. (P.F.P. 40).

Ontario West Shore Railway Company in the Township of Huron, County of Bruce.

August 2. Plan and Profile of Right of Way and Line, certified and approved.

PROCEDURE FILE No. 535b. (P.F.P. 41).

Ontario West Shore Electric Railway Company in Township of Ashfield, County of Huron.

August 2. Plan and Profile certified and approved.

PROCEDURE FILE No. 536.

In the matter of the application of the Township of North Grimsby for an Order validating its By-law No. 182 to authorize the issue of debentures to the amount of $15,000 to pay for a school site and building.

September 11. Application and material filed, considered and approved.

September 11. Order made accordingly.

Upon the application of the said Corporation and upon reading the certified copy of the said By-law, the affidavit of John Kerman, Clerk of the said Township, and the other material, filed,

The Board orders that the said By-law Number 182, intituled "By-law No. 182. By-law No. 182 of the Township of North Grimsby, to raise by way of loan, the sum of Fifteen Thousand Dollars, on the credit of the Municipality, the said sum to be applied for the purchase of a school site, and the erection of a school thereon, in School Section No. 1 of the said Township," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the Township of North Grimsby, and declaring the same valid and binding and that its validity is not open to question in any Court on any ground whatever, and that the debentures issued under the authority of and in accordance with the said By-law be also approved and that the same be certified as provided by the said Act.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE No. 537.

In the matter of the application of the Town of Renfrew under 9 Edward VII., Chapter 73, Section 11, for an Order extending the time for issuing the debentures under By-law No. 294 of said Town.

September 14. Application and material filed, considered and approved.

September 14. Order.

Upon the application of the said Corporation and upon reading the Notice of Application, the certified copy of the said By-law, the affidavits of Arthur Gravelle, Mayor, and James K. Rochester, Clerk, of the said Town, and the other material, filed.

The Board orders that in pursuance of the provisions of Section 384 of "The Consolidated Municipal Act, 1903" as amended by Section 11 of "The Municipal

Amendment Act, 1909," the time for the issue of the debentures authorized by By-law No. 294 of the said Corporation of Renfrew, intituled, "No. 294. A By-law to consolidate certain local improvement By-laws heretofore passed for the purpose of raising money wherewith to pay off certain existing local improvement debts in the Town of Renfrew," be and the same is hereby extended up to and inclusive of the Fifteenth day of November, A.D. 1909.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 538.

In the matter of the application of the Town of Renfrew under 9 Edward VII., Chapter 73, Section 11, for an Order extending the time for issuing the debentures under By-law No. 295 of said Town.

September 14. Application and material filed, considered and approved.

September 14. Order.

Upon the application of the said Corporation and upon reading the Notice of Application, the certified copy of the said By-law, the affidavits of Arthur Gravelle, Mayor, and James K. Rochester, Clerk, of the said Town, and the other material, filed.

The Board orders that in pursuance of the provisions of Section 384 of "The Consolidated Municipal Act, 1903," as amended by Section 11 of "The Municipal Amendment Act, 1909," the time for the issue of the debentures authorized by By-law No. 295 of the said Corporation of Renfrew, intituled, "No. 295. A By-law to consolidate certain local improvement By-laws heretofore passed for the purpose of raising money wherewith to pay off certain existing local improvement debt in the Town of Renfrew," be and the same is hereby extended up to and inclusive of the Fifteenth day of November, A.D. 1909.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 539.

In the matter of the application of the Town of Renfrew under 9 Edward VII., Chapter 73, Section 11, for an Order extending the time for issuing the debentures under By-law No. 348 of said Town.

September 14. Application and material filed, considered and approved.

September 14. Order.

Upon the application of the said Corporation and upon reading the Notice of Application, the certified copy of the said By-law, the affidavits of Arthur Gravelle, Mayor, and James K. Rochester, Clerk, of the said Town, and the other material, filed.

The Board orders that in pursuance of the provisions of Section 384 of "The Consolidated Municipal Act, 1903" as amended by Section 11 of "The Municipal Amendment Act, 1909," the time for the issue of the debentures authorized by By-law No. 348 of the said Corporation of Renfrew, intituled, "No. 348. A By-law to consolidate certain local improvement By-laws heretofore passed for the purpose of raising money wherewith to pay off certain existing local improvement debts in the Town of Renfrew," be and the same is hereby extended up to and inclusive of the Fifteenth day of November, A.D. 1909.

(L.S.) (Signed) James Leitch,
Chairman of the Ontario Railway and Municipal Board.

Procedure File No. 540.

In the matter of the application of the Town of Renfrew under 9 Edward VII., Chapter 73, section 11, for an Order extending the time for issuing the debentures under By-law No. 349 of said Town.

September 14. Application and material filed, considered and approved.

September 14. Order.

Upon the application of the said Corporation and upon reading the Notice of Application, the certified copy of the said By-law, the affidavits of Arthur Gravelle, Mayor, and James K. Rochester, Clerk, of the said Town, and the other material, filed.

The Board orders that in pursuance of the provisions of Section 384 of "The Consolidated Municipal Act, 1903," as amended by Section 11 of "The Municipal Amendment Act, 1909," the time for the issue of the debentures authorized by By-law No. 349 of the said Corporation of Renfrew, intituled, "No. 349. A By-law to consolidate certain local improvement By-laws heretofore passed for the purpose of raising money wherewith to pay off certain existing local improvement debts in the Town of Renfrew," be and the same is hereby extended up to and inclusive of the Fifteenth day of November, A.D. 1909.

(L.S.) (Signed) James Leitch,
Chairman of the Ontario Railway and Municipal Board.

Procedure File No. 541.

In th matter of the application of the Town of Renfrew under 9 Edward VII., Chapter 73, Section 11, for an Order to extend the debenture period under By-law No. 357. and to increase amount of By-law from $2,500 to $3,000 and to change same accordingly.

September 14. Application and material filed and considered.

September 14. Board appoints Thursday 16th inst. at 11 a.m. to hear Counsel in support of application.

September 16. Counsel heard by Chairman, all papers handed back to Counsel (W. N. Ferguson); further material to be furnished.

Procedure File No. 542.

In the matter of the application of the Town of Wingham for an Order validating its By-law No. 587, 1909, to authorize the issue of debentures to the amount of $4,000.00, to make up the deficiency in the sinking fund of said Town.

September 14. Application and material completed, considered and approved. Order.

Upon the application of the said Corporation, and upon reading the certified copy of the said By-law, the statutory declarations of Thomas Gregory, Mayor, and Johnston Brewster Ferguson, Clerk, of the said Town, and the other material, filed.

The Board orders that the said By-law No. 587, 1909, intituled, "Town of Wingham. By-law No. 587. 1909. A By-law for the issue of Debentures of the Town of Wingham to the amount of $4,000.00, to make up the deficiency in the amount of the Sinking Fund to the credit of the Town Hall Debenture account of the said Town," be and the same is hereby approved and validated.

And it is ordered pursuant to the Provisions of "The Ontario Municipal Securities Oct, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the Town of Wingham, and declaring the same valid and binding and that its validity is not open to question in any Court on any ground whatever, and that the debentures issued under the authority of and in accordance with the said By-law be also approved and that the same be certified as provided by the said Act.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE No. 543.

In the matter of the application of the Town of Trenton for an Order validating its By-law No. 972 to authorize the issue of debentures to the amount of $23,000.00, for the erection of a Public School building in said Town.

September 14. Application and material filed, considered and approved.

September 14. Order.

Upon the application of the said Corporation, and upon reading the notice of application, the certified copy of the said By-law, the affidavits of Gilbert Wellington Ostrom, Clerk, and Jesse Funnell, Mayor, of the said Town, and the other Material, filed.

The Board orders that the said By-law No. 972, intituled "By-law No. 972. Passed the 7th day of June, A.D. 1909 (in duplicate). A By-law to raise the sum of $23,000.00 for the erection of a Public School Building in West Ward in the Town of Trenton and to provide for the issue of debentures of the said Town for $23,000.00 therefor," be and the same is hereby approved and validated.

And it is ordered pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the Town of Trenton, and declaring the same valid and binding and that its validity is not open to question in any Court on any ground whatever, and that the debentures issued under the authority of and in accordance with the said By-law be also approved and that the same be certified as provided by the said Act.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE No. 544.

In the matter of the application of the Town of Hanover for the approval of its By-law No. 112 for the issue of debentures to the amount of $1,500.00 (with interest at 5 per cent.) for the extension of its Waterworks System.

September 15. Application and material filed, considered and approved.

September 15. Order.

Upon the application of the above named Corporation, and upon reading the Notice of Application, filed by F. S. Mearns, Solicitor for the Applicants, the affidavits of Daniel Knechtel, Mayor, and John Taylor, Clerk and Treasurer, of the said Town, the certified copy of the said By-law, and the other material, filed.

The Board orders that the said By-law of the Municipal Corporation of the Town of Hanover, intituled, "By-law No. 112. A By-law to authorize the extending and improving of the Waterworks system of the Town of Hanover, and for such purpose the issuing of debentures for the sum of $1,500 for the construction of same," be and the same is hereby approved.

(L.S.) (Signed) James Leitch,
Chairman of the Ontario Railway and Municipal Board.

Procedure File No. 545.

Between H. W. Peterson, Applicant, and The Corporation of the City of Guelph and The Guelph Radial Railway Company, Respondents.

September 1. Complaint received from County Crown Attorney.

September 1. Engineer, H. W. Middlemist, instructed to inspect and report.

September 7. Engineer's report received and dispatched to Mayor of Guelph.

September 11. Letter to County Crown Attorney that Board will issue Formal Order on application by him.

November 15. On application of H. W. Peterson, County Crown Attorney, Wellington, Board appoints Thursday, November 18 at 11.30 a.m. at Court House Guelph, for hearing herein—appointment issued accordingly.

November 18. Report dated 17th inst. of Board's Engineer, F. L. Somerville, received. Board makes order for bridge to be built in accordance with the said report.

December 10. Plan of proposed new bridge filed for approval, see P.F.P. 45.

Toronto, November 17th, 1909.

The Chairman of
The Ontario Railway and Municipal Board,
Toronto.

Sir:—*Re Guelph Railway Bridge over River Speed at Guelph.*

I beg to report that in accordance with instructions received from Vice-Chairman A. B. Ingram I visited Guelph on Friday, 29th October, and made a thorough examination of the bridge in question and of the conditions in its immediate neighborhood.

I also saw Manager J. J. Hackney, Mayor Hastings, President J. W. Lyon, Vice-President J. J. Drew, City Engineer Hutcheon and several people who live in the neighborhood of the bridge.

In order to make my report as clear as possible I asked to be provided with particulars of the anticipated loading of the bridge and a plan of part of the city showing the bridge in question and a bridge and dam about 1,200 feet further down stream at the Wellington Street crossing, this plan to be accompanied by profiles along the two streets showing the width of water-way provided.

As will be seen from the plan, which is attached hereto, the Agricultural College Branch of the Radial Railway runs along the centre of Gordon Street and along the easterly side of Dundas Road. This latter road crosses the Speed River by a three-span bridge; the spans, going from the north, being 36 ft., 51 ft., and 35½ ft., respectively.

At Wellington Street about 1,200 feet down stream from the Dundas Road, there is a bridge of two arches, of 45-foot span each, and immediately below this bridge there is a dam which holds back the water for a considerable distance.

On the northerly side of the Mill Pond and a short distance below the Dundas Bridge there are two overflow weirs which empty into an overflow stream which crosses under Wellington Street by means of a bridge having two arches each of 20-foot span and which empties into the river below the dam.

Some ten or twelve years ago a private company built the radial railway and as the road bridge was too narrow and, possibly, too weak to carry the railway traffic a new bridge, for railway traffic only, was built immediately to the east of the road bridge, the abutments and piers of that bridge being extended for the purpose of carrying the new bridge, and as the centre span was too long for a deck span, and as the track was too near the existing bridge to permit of the erection of a through bridge, a new pier was built in the centre of the centre span, thus changing it to two short spans.

Some three years ago the superstructure of the railway bridge, which consists of trussed wooden beams, showed signs of weakness, and bents resting on the rock bottom of the river were put in between the masonry piers to support it.

The level of the crest of the dam, as shown in the profiles is 11.30 and the bottom of the river at the railway bridge is 9.31, thus showing that when the water is at the level of the crest of the dam the mill pond will extend at least up to the bridge, and that there will be little or no current at that point, and that as the height of the water increases the rate of current will diminish.

I am informed by Mr. Hackney that during the three years the somewhat flimsy temporary bents have been under the bridge only one of them has been washed out—which goes to show that the current at the bridge cannot have much force.

The total width of waterway at the Railway Bridge is......		118½ feet
At the Dundas Bridge is..............................		122½ feet
At the Main Wellington Street Bridge is..........	90 feet	
At the Overflow Wellington Street Bridge is....	40 feet	
Total waterway at Wellington Street.................		130 feet

A considerable quantity of water runs into the river between the Dundas Road and Wellington Street at the time of high water in the spring and therefore I am of opinion that, assuming that the Wellington Street bridges provide ample waterway, the railway bridges will give all the necessary clearance when the temporary bents are removed.

From my personal knowledge and from report I am satisfied that there is little or no run of ice at the bridge as the ice on the mill pond breaks up quietly and any ice brought down the river is broken up in passing over the dams which are situate higher up on the river.

For the above reasons, and on account of the difficulty and expense of building a long span bridge for the railway, I recommend that the centre pier carrying the railway bridge be allowed to remain.

Superstructure of Bridge.

Manager Hackney informs me that the greatest load the proposed bridge will be subjected to is a steel hopper coal car with a capacity of 100,000 lbs., and a tare weight of 42,000 lbs. These cars measure 33 feet 3 inches over all with a wheel base, centre to centre of trucks, of 21 feet 7 inches.

The design as submitted shows four I beams 24 inches deep, 80 lbs. per foot for each span regardless of the length of the span. As the end spans are the longest, 36 feet in the clear and 40 feet over all, it is necessary to consider them first.

With girder span 40 feet 0 inches and four I beams 24 inches depth at 80 lbs. per foot the moment from wheel base of a steel hopper car, having 21-foot 7-inch wheel base and having a gross weight of 142,000 lbs., 400 lbs. per foot, the dead load weight of track, 320 lbs. per foot, the dead load weight of I beams, the centre of gravity of the car being placed over the centre of the bridge, equals 180,625 ft. lbs. upon each of the four I beams,—with an extreme fibre stress of 12,500 lbs., which, to allow for impact, is as great as should be taken; a 24-inch I beam at 80 lbs. per foot is good for 181,237 lbs. when loaded in the above manner.

The car as above placed does not, however, give the maximum moment but when so placed as to give the maximum moment that moment will equal 203,548 lbs., which at 12,500 lbs. unit stress will require a 24-inch I beam at 100 lbs. per foot. I therefore recommend that the plans submitted be approved when 24-inch I beams at 100 lbs. per foot are substituted for those shown on the two end spans, the 24-inch I beams at 80 lbs. being sufficient for the two centre spans.

I have the honour to be,

Your obedient servant,

(Signed) F. L. Somerville,

M. Can. Soc. C. E.

Upon the application of the above named Applicant, and upon reading the Report of H. W. Middlemist, Esq., C.E., and of F. L. Somerville, Esq., C.E.,

The Board orders that the Respondents forthwith construct a new four-span steel bridge over the Speed River on the Dundas Road, in accordance with the Report of the said F. L. Somerville, Esq., C.E., upon good and substantial stone or cement piers, all to be approved by this Board.

The Board further orders that the Plan of the proposed bridge filed by the Respondents shall be amended in accordance with the Report of the said F. L. Somerville, Esq., C. E., and re-filed with the Board.

The Board further orders that the above named Guelph Radial Railway Company shall push all coal or other heavily laden freight cars up the Dundas Hill grade.

The Board further orders that the Respondents shall pay to F. L. Somerville, Esq., C.E., his fees and expenses in connection with making his said report, and $10.00 for stamps on this Order.

(L.S.) (Signed) James Leitch,

Chairman of the Ontario Railway and Municipal Board.

Procedure File No. 546.

In the matter of the application of the City of Hamilton under 8 Edward VII., Chapter 19, Section 420, for an Order approving of its By-law No. 876 for the investment of $10,000 of the Sinking Fund raised under its By-law No. 693, in the debentures issued under its By-law No. 868.

September 17. Application and material filed, considered and approved.

September 17. Order.

Upon the application of the said Corporation, and upon reading the Notice of Application, filed by F. R. Waddell, Esquire, Solicitor for the Applicants, the affidavits of John I. McLaren, Mayor, S. H. Kent, Clerk, and William R. Leckie, Treasurer, of the said City, and the certified copy of each of the said By-laws numbered 693, 868 and 876, filed.

The Board orders under and in pursuance of Section 420 of "The Consolidated Municipal Act, 1903," and of Section 53 of "The Ontario Railway and Municipal Board Act, 1906," that the said By-law No. 876 of the said Corporation, intituled, "By-law No. 876. For the investment of part of the Sinking Fund raised under By-law No. 693," be and the same is hereby approved.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 547.

In the matter of the application of the City of Windsor for an Order validating its By-law No. 1315 to raise by way of loan the sum of $19,000.00 for School Purposes.

September 17. Application and material filed, considered and approved.

September 17. Order.

Upon the application of the said Corporation, and upon reading the Notice of Application, filed by Messrs. Ellis and Ellis, Solicitors for the Applicant, the certified copy of the said By-law, and the affidavits of Ernest S. Wigle, Mayor, and Stephen Lusted, Clerk, of the said City, filed.

The Board orders that the said By-law No. 1315 of the said Corporation, intituled, "By-law No. 1315. A By-law to raise by way of Loan the sum of $19,000.00 for School Purposes," be and the same is hereby approved and validated.

And it is ordered pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the City of Windsor, and declaring the same valid and binding and that its validity is not open to question in any Court on any ground whatever, and that the debentures to be issued under the authority of and in accordance with the said By-law be also approved and that the same be certified as provided by the said Act.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 548.

In the matter of the application of the City of Windsor for an Order validating its By-law No. 1316 to raise by way of Loan the sum of $20,000 for Waterworks purposes.

September 17. Application and material filed, considered and approved.

September 17. Order.

Upon the application of the said Corporation, and upon reading the Notice of Application, filed by Messrs. Ellis and Ellis, Solicitors for the Applicant, the certified copy of the said By-law, and the affidavits of Ernest S. Wigle, Mayor, and Stephen Lusted, Clerk, of the said City, filed.

The Board orders that the said By-law No. 1316 of the said Corporation, intituled, "By-law No. 1316. A By-law of the Municipality of the City of Windsor to raise by way of Loan the sum of $20,000.00 for Waterworks Purposes," be and the same is hereby approved and validated.

And it is ordered pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the City of Windsor, and declaring the same valid and binding and that its validity is not open to question in any Court on any ground whatever, and that the debentures to be issued under the authority of and in accordance with the said By-law be also approved and that the same be certified as provided by the said Act.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE No. 549.

In the matter of the application of the Village of Elmira for an Order validating its By-law No. 236 (as amended by By-law No. 245) for the issue of debentures to the amount of $8,000.00, for aid by way of Loan to J. B. Gateman, Manufacturer.

September 18. Application and material filed, considered and approved.

September 18. Order.

Upon the application of the said Corporation, and upon reading the Notice of Application, filed by Messrs. Clarke and Swabey, Solicitors for the Applicants, the solemn declarations of John H. Ruppel, Clerk of the said Village, the certified copy of each of the said By-laws, and the other material, filed.

The Board orders that the said By-law No. 236 of the said Corporation, intituled, "By-law No. 236. To grant aid by way of loan to J. B. Gateman, Manufacturer, and to authorize the issue of the necessary debentures for that purpose and for other purposes," and that the said amending By-law No. 245 intituled, "By-law No. 245. To amend By-law No. 236 of the Village of Elmira," be and the same are hereby approved and validated.

And it is ordered pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that certificates be granted approving the said By-laws of the Municipal Corporation of the Village of Elmira, and declaring the same valid and binding and that their validity is not open to question in any Court on any ground whatever, and that the debentures to be issued under the authority of and in accordance with the said By-laws be also approved and that the same be certified as provided by the said Act.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE No. 550.

In the matter of the application of the Town of Paris for the approval of its By-law No. 538 for the issue of debentures to the amount of $5,000.00 for the extension and improvement of its Waterworks System.

September 18. Application and material filed, considered and approved.

September 18. Order.

Upon the application of the above named Corporation, and upon reading the Notice of Application, filed by Franklin Smoke, Esquire, Solicitor for the Applicant, the solemn declarations of John M. Patterson, Mayor, Thomas McCosh, Clerk, and David R. Brockbank, Inspector of Waterworks, of the said Town, and the certified copy of the said By-law, filed.

The Board orders that the said By-law No. 538 of the Municipal Corporation of the Town of Paris, intituled, " By-law No. 538 of the Town of Paris, being a By-law to provide for the expenditure of $5,000.00 for the extension and improvement of the waterworks system of the Town of Paris and to authorize the issue of debentures of the said Town to the amount of $5,000.00 for the purpose of raising the said sum," be and the same is hereby approved.

(L.S.) (Signed) James Leitch,

Chairman of the Ontario Railway and Municipal Board.

Procedure File No. 551.

In the matter of the application, under 4 Edward VII. (Ont.) Chapter 22, Section 11, of the Town of Smith's Falls for the approval of its By-law No. 847, providing for the payment of an increased rate of interest on the debenture debt created by its By-laws Nos. 839 and 842.

September 21. Application and material filed, and considered, letter for proof *re* efforts to sell, etc.

September 30. Statutory declarations *re* efforts to sell debentures at 4 per cent. filed, considered and approved.

September 30. Order.

Upon the application of the above named Corporation, and upon reading the Notice of Application, filed by J. A. Lewis, Town Clerk, the certified copies of the said By-laws numbered 839, 842 and 847, and the statutory declarations of John S. McCallum, Mayor, and Henry Layng, Treasurer, of the said Town, filed.

The Board orders that the said By-law No. 847 of the said Municipal Corporation of the Town of Smith's Falls, intituled, " Corporation of the Town of Smith's Falls. By-law No. 847. A By-law to amend By-laws numbered 839 and 842," be and the same is hereby approved under and in pursuance of Section 388 (*b*) of " The Consolidated Municipal Act, 1903 " (4 Edward VII., Chapter 22, Section 11 (Ontario).

(Signed) James Leitch,

Chairman of the Ontario Railway and Municipal Board.

Procedure File No. 552.

In the matter of the application of the Town of Renfrew for an Order validating its By-law No. 294 authorizing the issue of debentures to the amount of $5,297.00 to pay off certain existing local improvement debts.

September 21. Application filed, considered and approved.

September 21. Order.

Upon the application of the said Corporation and upon reading the Notice of Application filed by Messrs. Millar, Ferguson & Hunter, Agents for T. W. McGarry, Esquire, Solicitor for the Applicant, the certified copy of the said By-law, the affidavits of Arthur Gravelle, Mayor, and James K. Rochester, Clerk, of the said Town, and the other material, filed.

The Board orders that the said By-law No. 294 of the said Corporation, intituled, "No. 294. A By-law to consolidate certain local improvement By-laws heretofore passed for the purpose of raising money wherewith to pay off certain existing local improvement debts in the Town of Renfrew," be and the same is hereby approved and validated.

And it is ordered pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the Town of Renfrew, and declaring the same valid and binding and that its validity is not open to question in any Court on any ground whatever, and that the debentures to be issued under the authority of and in accordance with the said By-law be also approved and that the same be certified as provided by the said Act.

(L.S.) (Signed) James Leitch,
Chairman of the Ontario Railway and Municipal Board.

Procedure File No. 553.

In the matter of the application of the Town of Renfrew for an Order validating its By-law No. 295 authorizing the issue of debentures to the amount of $5,931.00 to pay off certain existing local improvement debts.

September 21. Application filed, considered and approved.

September 21. Order.

Upon the application of the said Corporation and upon reading the Notice of Application filed by Messrs. Millar, Ferguson & Hunter, Agents for T. W. McGarry, Esquire, Solicitor for the Applicant, the certified copy of the said By-law, the affidavits of Arthur Gravelle, Mayor, and James K. Rochester, Clerk, of the said Town, and the other material, filed,

The Board orders that the said By-law No. 295 of the said Corporation, intituled, "No. 295. A By-law to consolidate certain local improvement By-laws heretofore passed for the purpose of raising money wherewith to pay off certain existing local improvement debt in the Town of Renfrew," be and the same is hereby approved and validated.

And it is ordered pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the Town of Renfrew, and declaring the same valid and binding and that its validity is not open to question in any Court on any ground whatever, and that the debentures to be issued under the authority of and in accordance with the said By-law be also approved and that the same be certified as provided by the said Act.

(L.S.) (Signed) James Leitch,
Chairman of the Ontario Railway and Municipal Board.

Procedure File No. 554.

In the matter of the application of the Town of Renfrew for an Order validating its By-law No. 348 authorizing the issue of debentures to the amount of $5,050.40 to pay off certain existing local improvement debts.

Sept. 21. Application filed, considered and approved.

Sept. 21. Order.

Upon the application of the said Corporation and upon reading the Notice of Application filed by Messrs. Millar, Ferguson & Hunter, Agents for T. W. McGarry, Esquire, Solicitor for the Applicant, the certified copy of the said By-law, the affidavits of Arthur Gravelle, Mayor, and James K. Rochester, Clerk, of the said Town, and the other material, filed,

The Board orders that the said By-law Number 348 of the said Corporation, intituled, "No. 348. A By-law to consolidate certain local improvement by-laws heretofore passed for the purpose of raising money wherewith to pay off certain existing local improvement debts in the Town of Renfrew," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the Town of Renfrew, and declaring the same valid and binding and that its validity is not open to question in any Court on any ground whatever, and that the debentures to be issued under the authority of and in accordance with the said By-law be also approved and that the same be certified as provided by the said Act.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 555.

In the matter of the application of the Town of Renfrew for an Order validating its By-law No. 349 authorizing the issue of debentures to the amount of $5,797.20 to pay off certain existing local improvement debts.

Sept. 21. Application filed, considered and approved.

Sept. 21. Order.

Upon the application of the said Corporation and upon reading the Notice of Application filed by Messrs. Millar, Ferguson & Hunter, Agents for T. W. McGarry, Esquire, Solicitor for the Applicant, the certified copy of the said By-law, the affidavits of Arthur Gravelle, Mayor, and James K. Rochester, Clerk, of the said Town, and the other material, filed,

The Board orders that the said By-law Number 349 of the said Corporation, intituled, "No. 349. A By-law to consolidate certain local improvement By-laws heretofore passed for the purpose of raising money wherewith to pay off certain existing local improvement debts in the Town of Renfrew," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the Town of Renfrew, and declaring the same valid and binding and that its validity is not open to question in any Court on any ground whatever, and that the debentures to be issued under the authority of and in accordance with the said By-law be also approved and that the same be certified as provided by the said Act.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE No. 556.

In the matter of the application of the Town of Latchford in the District of Nipissing for an Order approving By-law No. 59. being a By-law to authorize the issue of debentures to the amount of $5,000 for school erection purposes.

Sept. 22. Application and material filed, considered and approved, subject to s. 2 of sec. 3, 8 Edw. VII., Chap. 51.

Sept. 22. Notice to Applicants' Solicitor accordingly.

Oct. 19. Above Statute having been complied with by expiration of over 30 days since the final passing of By-law, Application being renewed, Order made.

Upon the application of Counsel for the above named Corporation, and upon reading the Notice of Application, a certified copy of the said By-law, and the affidavits of Stanley Augustine Starling, Clerk (2) and of Robert Henry Brown Chairman of the Public School Board of the said Municipality, and the exhibits therein referred to, filed,

The Board orders that the said By-law of the Municipal Corporation of the Town of Latchford, intituled, "By-law Number 59 of the By-laws of the Municipal Corporation of the Town of Latchford. A By-law to authorize the issue of debentures to the amount of $5,000 for school erection purposes," finally passed at a meeting of the Council of the said Corporation held on the 17th day of September, 1909, be and the same is hereby approved.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving of the said By-law of the above named Corporation and declaring the same valid and binding and that its validity is not open to question in any Court upon any ground whatever, and that the debentures to be issued under the authority of and in accordance with the said By-law be and the same are hereby approved and that the same be certified as provided by the said Act.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE No. 557.

In the matter of the application of the City of Stratford under Section 388a of the Consolidated Municipal Act, 1903, for the approval of its By-law No. 1638, authorizing the issue of debentures to the amount of $7,500 to rebuild the Waterloo Street Bridge across the River Avon.

Sept. 22. Application and material filed, considered and approved.

Sept. 22. Order.

Upon the application of the above named Corporation, and upon reading the Notice of Application filed by Messrs. Robertson & Coughlin, Solicitors for the Applicant, the copy of the said By-law, the affidavits of William S. Dingman, Mayor, Mellis Ferguson, Engineer, and Robert R. Lang, Clerk, of the said City, filed,

The Board orders that the said By-law Number 1638 of the Municipal Corporation of the City of Stratford, intituled, "By-law No. 1638 of the City of Stratford. A By-law to raise the sum of $7,500 for the purpose of rebuilding the Waterloo Street Bridge," be and the same is hereby approved under and in pursuance of Section 388a of "The Consolidated Municipal Act, 1903."

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 558.

In the matter of the application of the Township of Coleman, for an Order validating its By-law No. 94, to guarantee the debentures issued by the Town of Cobalt to an amount not exceeding $75,000, pursuant to the provisions of 8 Edward VII., Chap. 73, Ontario.

Oct. 19. Application and material filed, considered and approved.

Oct. 19. Order.

Upon the application of the said Corporation, and upon reading the certified copy of the said By-law, the affidavits of Patrick J. Hart, Clerk, and Arthur Ferland, Reeve, of the said Township, and the other material, filed,

The Board orders that the said By-law Number 94, intituled, "By-law No. 94. To guarantee the debentures issued by the Corporation of the Town of Cobalt to an amount not exceeding $75,000, pursuant to the provisions of 8 Edward VII., Chap. 73, Ontario," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the Township of Coleman, and declaring the same valid and binding and that its validity is not open to question in any Court on any ground whatever.

(L.S.) (Signed) JAMES LEITCH,

Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 559.

In the matter of the application of the Town of Cobalt for an Order validating its By-law No. 88, authorizing the issue of debentures to the amount of $25,000 to be expended in improving the roadways and providing fire protection in said Town.

Oct. 19. Application and material filed, considered and approved.

Oct. 19. Order.

Upon the application of the said Corporation, and upon reading the certified copy of the said By-law, the affidavits of P. J. Hart, Clerk, and Heman Humphrey Lang, Mayor, of the said Town, and the other material, filed,

The Board orders that the said By-law Number 88, intituled, "By-law No. 88. A By-law to authorize the issue of debentures of the Town of Cobalt to the amount of $25,000 to be expended in improving the roadways and providing fire protection in the said Town of Cobalt," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the Town of Cobalt, and declaring the same valid and binding, and that its validity is not open to question in any Court on any ground whatever, and that the debentures issued under the authority of and in accordance with the said By-law be also approved and that the same be certified as provided by the said Act.

(L.S.) (Signed) JAMES LEITCH,

Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE No. 560.

Between the Erindale Power Company, Limited, Applicants, and the Toronto and York Radial Railway Company, Respondents. (Application for permission to cross railway line of Respondents.)

Oct. 6. Application and material filed.

Oct. 19. At request of Applicants, Board appoints Oct. 29th at 11 a.m., at its Chambers, for the hearing.

Oct. 29. Hearing pursuant to appointment, adjourned until Nov. 3rd, at 3 p.m., pending examination by Respondents' Engineer of location of proposed points of crossing.

Nov. 3. 3 p.m. Hearing continued and concluded. Applicants granted right to cross Respondents' line, their construction to be subject to the approval of the Board's Engineer.

Nov. 25. Formal Order.

Upon the application of the above named Applicant, upon hearing the evidence adduced on behalf of the Applicant and Respondent, upon considering the report of the Engineer of the Board and upon hearing Counsel for the Applicant and Respondent,

1. The Board orders that the Applicant be at liberty to carry leads not exceeding 110 volts, the same to be stepped down from a higher primary voltage not exceeding 4400 volts, across the Respondents' railway at the points hereinafter indicated on the Lake Shore Road in the Township of Etobicoke, by overhead crossing of Number 6 B. & S. weather-proof wire, at a height of not less than twenty-nine feet from the top of the Respondent's rails, such crossing leads to be carried from poles of the Applicant to which are attached double cross-arms with insulators and double ties, each of which poles shall be strongly guyed, and that such crossing leads be carried horizontally and shall be supported on poles on the lake side of the said road before being carried to buildings or other structures.

2. Such crossings may be made on the said Lake Shore Road as follows, it being understood that the word "pole" when used herein, shall mean an existing pole of the applicant on the northerly side of the said railway and that the word "stop" means a stopping place of the Respondents' railway as numbered and existing at the date hereof:

From the Humber River Westerly—

1st crossing at 8th pole east of Stop Number 7.
2nd crossing at 1st pole west of Stop Number 7.
3rd crossing at 2nd pole west of Stop Number 8.
4th crossing at 5th pole west of Stop Number 8.
5th crossing at 1st pole west of Stop Number 9.
6th crossing at 5th pole west of Stop Number 9.

West of Mimico Creek—

1st crossing at 6th pole east of Stop Number 12.
2nd crossing at 1st pole west of Stop Number 12.
3rd crossing at 3rd pole east of Stop Number 13.
4th crossing at 3rd pole west of Stop Number 13.
5th crossing at Stop Number 14, opposite Superior Avenue.
6th crossing at 1st pole west of Stop Number 15, opposite Mimico Avenue.
7th crossing at 3rd pole east of Stop Number 16.

8th crossing at 1st pole west of Stop Number 16.
9th crossing at 8th pole west of Stop Number 16.
10th crossing at 1st pole east of Stop Number 17.
11th crossing at Stop Number 21, opposite Seventh St.
12th crossing at Stop Number 23, opposite Kipling Ave.
13th crossing at Stop Number 24, opposite Fourth Ave.
all of the above work to be done subject to the approval of the Engineer of the Board.

3. The Board reserves further directions and the right to either party to apply to the Board.

4. The Board makes no order as to costs except that the applicant shall pay the fees and expenses of the Board's Engineer herein and $10.00 for stamps on this order.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 561.

In the matter of the application of the Village of Port Colborne for the approval of its By-law No. 9 for the issue of debentures to the amount of $2,600 for the extension and improvement of its Waterworks System.

Oct. 22. Application and material filed.
Oct. 23. Application and material considered and approved.
Oct. 23. Order.

Upon the application of the above named Corporation and upon reading the Notice of Application, the statutory declarations of John Haven Smith, Reeve, John F. Hughes, Treasurer, and Frank D. Noble, Clerk, of the said Village, and the duplicate original of the said By-law, filed,

The Board orders that the said By-law Number 9 of the Municipal Corporation of the Village of Port Colborne, intituled, "By-law No. 9. A By-law to raise by way of loan upon the credit of the Corporation of the Village of Port Colborne, the sum of $2,600 for the purpose of making certain extensions and improvements to the waterworks plant in the said Village, and further to sanction the making of a five year contract with 'The Ontario Power Company,' by which the said Company agree to operate and maintain the waterworks pumping plant in said Village and to instal and maintain seventy-five Tungsten lights for lighting the public highways of said Village for the yearly sum of $1,500," be and the same is hereby approved.

(L.S.) (Signed) A. B. INGRAM,
Vice-Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 562.

In the matter of the application of the Village of Weston for an Order validating its By-law No. 461, to authorize the issue of debentures to the amount of $57,000 for the construction of a system of waterworks in said Village.

Oct. 26. Application and material filed.
Oct. 28. Application and material considered and approved.
Oct. 28. Order.

Upon the application of the said Corporation, and upon reading the Notice of Application, filed by Messrs. Higgins and Douglas, Solicitors for the Applicants.

the affidavits of Robert J. Bull, Reeve, and James Henry Taylor, Clerk, of the said Village, the certified copy of the said By-law, and the other material, filed,

The Board orders that the said By-law Number 461, intituled, "By-law No. 461. A By-law to authorize the borrowing of the sum of Fifty-seven Thousand Dollars for the construction of a system of waterworks for the Corporation of the Village of Weston," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the Village of Weston, and declaring the same valid and binding, and that its validity is not open to question in any Court on any ground whatever, and that the debentures issued under the authority of and in accordance with the said By-law be also approved and that the same be certified as provided by the said Act.

(L.S.) (Signed) James Leitch,
Chairman of the Ontario Railway and Municipal Board.

Procedure File No. 563.

In the matter of the application of the City of Ottawa for an Order changing the name of "Ninth Ward" in the City of Ottawa, to "Capital Ward."

Oct. 28. Application and material filed, considered and approved.

Oct. 28. Order.

Upon the application of the Corporation of the City of Ottawa and upon reading the affidavit of John Henderson, City Clerk, of the said Corporation, the resolution of the Municipal Council of the said Corporation set out therein and the Order of this Board annexed thereto as Exhibit "A,"

The Board orders that the Order of the Board made on Monday, the 22nd day of February, A.D. 1909, establishing in the said City of Ottawa a new ward to comprise the territory described in the said Order and ordering that the said ward should be designated and known as the "Ninth Ward," is amended by changing the name of the said ward so established to "Capital Ward."

And the said Board further orders that the said ward established by the said Order of Monday, the 22nd day of February, A.D. 1909, shall, from henceforth be designated and known as "Capital Ward."

(L.S.) (Signed) James Leitch,
Chairman of the Ontario Railway and Municipal Board.

Procedure File No. 564.

In the matter of the application of the Township of Moulton for an Order validating its By-law No. 9, A.D. 1909, for the issue of debentures to the amount of $5,000 and interest for aid by way of bonus to the Dunnville, Wellandport and Beamsville Electric Railway Company.

Oct. 30. Application and material filed, considered and approved.

Oct. 30. Order.

Upon the application of the said Corporation and upon reading the copy of the said By-law, the affidavits of John W. Powell, Reeve, and Walter N. Allen, Clerk, of the said Township, and the other material, filed.

The Board orders that the said By-law Number 9, A.D. 1909, intituled, "By-law No. 9, A.D. 1909. By-law to provide for aid to the Dunnville, Wellandport and Beamsville Electric Railway Company, and for issuing debentures therefor in the sum of $5,000, by way of a bonus to the said Railway Company by the Municipal Corporation of the Township of Moulton," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the Township of Moulton, and declaring the same valid and binding and that its validity is not open to question in any Court on any ground whatever, anad that the debentures issued under the authority of and in accordance with the said By-law be also approved and that the same be certified as provided by the said Act.

(L.S.) (Signed) James Leitch,.

Chairman of the Ontario Railway and Municipal Board.

Procedure File No. 565.

In the matter of the application of the Township of Gainsborough for an Order validating its By-law No. 280, A.D. 1909, for the issue of debentures to the amount of $5,000 and interest for aid by way of bonus to the Dunnville, Wellandport and Beamsville Electric Railway Company.

Oct. 30. Application and material filed, considered and approved.

Oct. 30. Order.

Upon the application of the said Corporation and upon reading the copy of the said By-law, the affidavit of Samuel Kennedy, Clerk of the said Township, and the other material, filed,

The Board orders that the said By-law Number 280, A.D. 1909, intituled, "By-law No. 280, A.D. 1909. By-law to provide for aid to the Dunnville, Wellandport & Beamsville Electric Railway Company, and for issuing debentures therefor in the sum of five thousand dollars, by way of bonus, to the said Railway Company, by the Municipal Corporation of the Township of Gainsborough," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the Township of Gainsborough, and declaring the same valid and binding and that its validity is not open to question in any Court on any ground whatever, and that the debentures issued under the authority of and in accordance with the said By-law be also approved and that the same be certified as provided by the said Act.

(L.S.) (Signed) James Leitch,

Chairman of the Ontario Railway and Municipal Board.

Procedure File No. 566.

In the matter of the application of the Town of Pembroke for an Order validating its By-law No. 473, authorizing the issue of debentures to the amount of $10,000, for the purpose of purchasing and installing an electric pump and motor for pump house and an automatic trip-valve for standpipe.

Nov. 1. Application and material filed, considered and approved.

Nov. 1. Order.

Upon the application of the said Corporation, and upon reading the Notice of Application, filed by W. H. Williams, Esquire, Solicitor for the Applicants, the affidavits of James S. Fraser, Mayor, and Alfred J. Fortier, Clerk, of the said Town, the certified copy of the said By-law, and the other material, filed.

The Board orders that the said By-law Number 473, intituled, "By-law No. 473. A By-law to raise by way of loan the sum of Ten Thousand Dollars for the purpose of purchasing and installing an electric pump and motor for pump-house and an automatic trip-valve for standpipe," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the Town of Pembroke, and declaring the same valid and binding and that its validity is not open to question in any Court on any ground whatever, and that the debentures issued under the authority of and in accordance with the said By-law be also approved and that the same be certified as provided by the said Act.

(L.S.) (Signed) JAMES LEITCH,

Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 567.

In the matter of the application of the Town of Pembroke for an Order validating its By-law Number 491, authorizing the issue of debentures to the amount of $30,000 and interest for a loan to the Lee Manufacturing Company, Limited.

Nov. 1. Application and material filed and considered, letter to Applicant's Solicitor for further proofs.

Nov. 5. Further proofs filed, considered and approved.

Nov. 5. Order.

Upon the application of the said Corporation and upon reading the Notice of Application filed by W. H. Williams, Esquire, Solicitor for the Applicants, the affidavits of James S. Fraser, Mayor, Alfred J. Fortier, Clerk, and Samuel Sutton, the Younger, Treasurer, of the said Town, the certified copy of the said By-law, and the other material, filed,

The Board orders that the said By-law Number 491, intituled, "By-law No. 491. A By-law for granting the Lee Manufacturing Company, Limited, a loan of Thirty Thousand Dollars and fixing the assessment of the said Company's property in the Town of Pembroke at Fifteen Thousand Dollars for the term of ten years, and to authorize the Corporation of the Town of Pembroke to raise the said sum by the issue of debentures," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the Town of Pembroke, and declaring the same valid and binding, and that its validity is not open to question in any Court on any ground whatever, and that the debentures issued under the authority of and in accordance with the said By-law be also approved and that the same be certified as provided by the said Act.

(L.S.) (Signed) JAMES LEITCH,

Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 568.

In the matter of the application of The Sanderson-Harold Company, Limited, for the annexation to the Town of Paris of certain lands in the Township of South Dumfries.

Nov. 10. Copy of resolution of Municipal Council of Paris. Petition, Plan, etc., filed.

Nov. 11. Application issued for hearing application on Tuesday, Nov. 23, at 11.30 a.m.

Nov. 23. Hearing pursuant to appointment, annexation decreed.

Nov. 23. Order.

Notice is hereby given that the Municipal Council of the Corporation of the Town of Paris has by resolution passed on the 18th day of October, 1909, declared the expediency of the annexation to the said Town of Paris of that portion of the Township of South Dumfries above mentioned and more particularly described in the said resolution, and that a certified copy of the said resolution, and a petition for such annexation signed by the said Sanderson-Harold Company, Limited, the alleged owners of the said portion of the said Township, have been filed in the office of the Ontario Railway and Municipal Board,

And notice is further given that the Board hereby appoints Tuesday, the 23rd day of November, at the hour of half-past eleven o'clock in the forenoon, at its Chambers in the Manning Chambers, in the City of Toronto, to hear the application for the annexation mentioned in the said resolution and petition.

Dated at Toronto this 11th day of November, A.D. 1909.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

Upon the application of the above named Applicants, and upon reading the resolution of the Municipal Council of the Town of Paris passed on the Eighteenth day of October, 1909, the petition of the said Applicants, and the appointment for hearing and admission of service thereof, endorsed by the Reeve of the Township of South Dumfries; upon inspection of the plan of the lands and premises hereinafter described; and upon hearing what was alleged by Franklin Smoke, Esquire, K.C., Counsel for the said Town of Paris, no one appearing for the Township of South Dumfries,

The Board orders and proclaims that the lands and premises in the Township of South Dumfries mentioned and described in the said resolution and petition, being:—

> "All and singular that certain parcel or tract of land and premises situate, lying and being in the Township of South Dumfries, in the County of Brant and Province of Ontario, being composed of a part of lot number thirty-two in the first concession in said Township and containing by admeasurement five acres and fifty-four one-hundredths of an acre more or less, which said parcel or tract of land may be more particularly described as follows: Commencing at the point where the southerly limit of the lands of the Grand Trunk Railway Company is intersected by the westerly limit of the Town of Paris; thence south seventy-four degrees and fifty-four minutes west along said southerly limit two hundred and thirty-three feet; thence north seventy-eight degrees and forty-three

> minutes west along said southerly limit one hundred and eighteen feet and ten inches; thence south seventy-four degrees and fifty-four minutes west along said southerly limit four hundred and forty-nine feet and six inches to a stake set; thence south eighty-three degrees and forty-eight minutes west still along said southerly limit thirty-two feet and four inches to a stake set; thence south eighty-one degrees and forty-one minutes east three hundred and twenty-seven feet and nine inches to a stake set; thence south fifteen degrees and six minutes east three hundred and eighty-five feet and six inches to a stake set; thence north seventy-four degrees and fifty-four minutes east two hundred and eighty-four feet and six inches to a stake set at the distance of thirty-three feet north-westerly from the top of the bank of Smith's Creek; thence north-easterly parallel to the top of said bank and always at the distance of thirty-three feet therefrom four hundred and thirty-six feet more or less to the westerly limit of the Town of Paris; thence north forty-one degrees and thirty-nine minutes west along said westerly limit one hundred and ninety-one feet and six inches more or less to the place of beginning."

be and the same are hereby annexed to the Town of Paris, said annexation to take effect on the day of the date hereof, upon and subject to the following terms and conditions, viz.:—

(1) The said lands annexed shall be added to the North Ward of the said Town of Paris.

(2) The said lands as well as all other lands now owned by The Sanderson-Harold Company, Limited, situate in the limits of the Town of Paris, so long as the same are owned by the said Company, or its successors or assignees, who may use same as manufacturing premises, shall be exempt from taxes, except for school taxes, for a period of ten years from the First day of January, 1910.

(3) The said Town of Paris shall construct and maintain a sidewalk of wood or cement from the westerly extremity of the present sidewalk on the south side of Railway Street to the westerly limit of Railway Street, and also shall erect and maintain an arc light, or an equivalent in incandescent lights, near the west end of Railway Street.

(Signed) James Leitch,
Chairman of the Ontario Railway and Municipal Board.

Procedure File No. 569.

In the matter of the application of the Town of North Toronto under 8 Edw. VII., cap. 51, for validation of By-law No. 1042 and the debentures thereunder. ($30,000 and interest to open two new streets parallel with Yonge Street).

Nov. 10. Application and material filed and considered. Applicants notified to file application, stating specifically what legislation they are applying under.

Dec. 6. Application withdrawn, Board not having statutory power to approve of this By-law. Original and certified copy of By-law returned to Applicants' Solicitor.

Procedure File No. 570.

In the matter of the application of The Ontario Power Company of Niagara Falls, for the Board's approval of the underground crossing by its conduit No. 2 of The International Railway Company's line (Niagara Falls Park & River Ry. Co.)

Nov. 11. Application and material filed, considered and approved, subject to filing of linen tracing of plan and profile.

Nov. 18. Linen tracing of plan, &c., filed. (See P.F.P. 44).

PROCEDURE FILE No. 571.

In the matter of the application of the Village of Lucknow for an Order validating its By-law No. 2, 1907, authorizing the issue of debentures to the amount of $4,000 and interest for a loan to aid the Lucknow Furniture Company.

Nov. 11. Application and material filed, considered and approved.

Nov. 11. Order.

Upon the application of the said Corporation, and upon reading the Notice of Application filed by P. A. Malcomson, Esquire, Solicitor for the Applicant, the certified copy of the said By-law, the affidavits of John Joynt, Reeve, and Joseph Agnew, Clerk, of the said Village, and the other material, filed,

The Board orders that the said By-law Number 2, 1907, intituled, "By-law No. 2, 1907. A By-law to aid the Lucknow Furniture Company, of the Village of Lucknow, in the County of Bruce, Furniture Manufacturers, by granting to them by way of a loan the sum of $4,000 for a period or term of ten years without interest, and to authorize the issue of debentures," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the Village of Lucknow, and declaring the same valid and binding and that its validity is not open to question in any Court on any ground whatever, and that the debentures issued under the authority of and in accordance with the said By-law be also approved and that the same be certified as provided by the said Act.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE No. 572.

In the matter of the application of the Port Arthur and Fort William Electric Railway for the approval of the annexed schedule of passenger fares and baggage and freight rates.

Nov. 15. Application and material filed, considered and approved subject to future change by the Board.

Nov. 15. Order.

Upon the application of the Port Arthur and Fort William Electric Railway, and upon reading the schedule of passenger fares and of baggage and freight charges hereto annexed,

The Board orders that the said schedule of passenger fares and of baggage and freight rates be and the same is hereby approved under and in pursuance of sections 169 and 171 of "The Ontario Railway Act, 1906," provided that the Board may, at any time or times or from time to time hereafter of its own motion or upon any application or complaint, withdraw its approval of the above mentioned schedule or schedules or any one or more of them, or alter, amend, add to, take from, vary or otherwise change or modify the said schedule or some or any of them.

(L.S.) (Signed) A. B. INGRAM,
Vice-Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 573.

In the matter of the application of the Port Arthur and Fort William Electric Railway for the sanction of its rules and regulations.

Nov. 15. Application and material filed, considered and approved.

Nov. 15. Order.

Upon the application of the Port Arthur and Fort William Electric Railway and upon reading the copy of the rules and regulations of the said Railway hereto annexed,

The Board orders that the said rules and regulations of the Port Arthur and Fort William Electric Railway be and the same are hereby sanctioned and approved in accordance with section 153 of "The Ontario Railway Act, 1906."

(L.S.) (Signed) A. B. INGRAM,
Vice-Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 574.

In the matter of the application of the Hamilton, Grimsby and Beamsville Electric Railway Company, for the approval of the said Company's local passenger tariff hereto annexed.

Nov. 16. Application and material filed, considered and approved.

Nov. 16. Order.

Upon the application of the Hamilton, Grimsby and Beamsville Electric Railway Company, and upon reading the local passenger tariff, hereto annexed,

The Board orders that the said local passenger tariff be and the same is hereby approved under and in pursuance of Sections 169 and 171 of "The Ontario Railway Act, 1906."

(L.S.) (Signed) A. B. INGRAM,
Vice-Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 575.

In the matter of the application of The Hamilton and Dundas Street Railway Company, under 8 Edward VII., Chap. 30, Sections 169 and 171, for approval of its Passenger Tariff.

October 7. Application and material filed.

October 14. Application and material considered, approval of tariff refused as same does not comply with Section 171 of Ontario Railway Act, 1906.

PROCEDURE FILE NO. 576.

In the matter of the application of the City of Fort William for the approval of its By-law for the issue of debentures to the amount of $9,000 for the extension of its Electric Lighting System.

November 17. Application and material filed, considered and approved.

November 17. Order.

Upon the application of the above named Corporation and upon reading the Notice of Application filed by Messrs. Morris and Babe, Solicitors for the Applicants, the affidavit of Louis L. Peltier, Mayor, Alexander McNaughton, Clerk, and William Phillips, Treasurer, of the said City, and the certified copy of the said By-law, filed,

The Board orders that the said By-law of the Municipal Corporation of the City of Fort William, intituled "City of Fort William. By-law Number A By-law to raise the sum of $9,000 by way of debentures in order to further extend the electric lighting system of the said City," be and the same is hereby approved.

(L.S.) (Signed) JAMES LEITCH,

Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 577.

In the matter of the application of the City of Fort William for the approval of its By-law for the issue of debentures to the amount of $6,500 for the extension of its Waterworks System.

November 17. Application and material filed, considered and approved.

November 17. Order.

Upon the application of the above named Corporation and upon reading the Notice of Application filed by Messrs. Morris and Babe, Solicitors for the Applicants, the affidavit of Louis L. Peltier, Mayor, Alexander McNaughton, Clerk, and William Phillips, Treasurer, of the said City, and the certified copy of the said By-law, filed.

The Board orders that the said By-law of the Municipal Corporation of the City of Fort William, intituled "City of Fort William. By-law Number . A By-law to raise the sum of $6,500 by way of debentures in order to further extend the waterworks system of the said City," be and the same is hereby approved.

(L.S.) (Signed) JAMES LEITCH,

Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 578.

In the matter of the application of the Town of Newmarket under Section 388b of the Consolidated Municipal Act, 1903, for the approval of its By-law Number 339 to increase the rate of interest from four per cent. to five per cent. on the debentures mentioned in By-law No. 336.

November 18. Hearing pursuant to arrangement. Board will grant application on filing of affidavits and material as directed by Board.

November 29. Affidavits and material filed as directed, considered and approved. Order.

Upon the application of the above named Corporation, and upon reading the notice of application, filed by Herbert Lennox, Counsel for the Applicants, the certified copy of each of the said By-laws numbered 336 and 339, and the affidavit of P. W. Pearson, filed, and upon hearing what was alleged by said Counsel:

The Board orders that the said By-law Number 339 of the Municipal Corporation of the Town of Newmarket, intituled "The Corporation of the Town of Newmarket. By-law No. 339. A By-law to amend By-law No. 336 of the Town of Newmarket," be and the same is hereby approved under and in pursuance of Section 388b of "The Consolidated Municipal Act, 1903" (4 Edward VII., Chapter 22, Section 11 (Ontario)).

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 579.

In the matter of the application of the Town of Chesley for the approval of said Corporation's By-law No. 479-1909, for the issue of debentures to the amount of $2,320.00 for the extension and improvement of its Waterworks System.

Nov. 19. Application and material filed.

Nov. 22. Application and material considered and approved.

Nov. 22. Order.

Upon the application of the above named Corporation, and upon reading the affidavit of Conrad Krug, Mayor, and William McDonald, Clerk, of the said Town, and the certified copy of the said By-law, filed.

The Board orders that the said By-law Number 479-1909 of the Municipal Corporation of the Town of Chesley, intituled "By-law No. 479-1909, or The Town of Chesley, "A By-law to raise by way of loan for the purpose of extending and improving the waterworks system of the Town of Chesley and for exercising all the powers for that purpose as provided by The Municipal Waterworks Act, R.S.O. 1897, Chapter 235, and amending Acts, and particularly 6 Edward VII, Cap. 34, Sec. 21.", be and the same is hereby approved.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 580.

In the matter of an application for the ratification of By-law No. 78 of the Town of Blind River, as amended by By-law No. 81 pursuant to the Ontario Municipal Securities Act, 1908, as amended by 9 Edward VII, Chapter 76.

Nov. 25. Application and material filed, considered and approved. Order.

Upon the application of the said Corporation, and upon reading the Notice of Application filed by T. E. Williams, Solicitor for the Applicants, and the Affidavits of John Stover, Mayor, and John Muncaster, Jr., Clerk, of the said Municipal Corporation of the Town of Blind River, and exhibits therein referred to, including certified copies of said By-laws and other material filed therewith.

The Board orders that the said By-laws numbers 78 and 81 of the Municipal Corporation of the Town of Blind River respectively entitled "By-law No. 78. A "By-law to authorize the Municipal Council of the Town of Blind River to raise the sum of Twelve Thousand Dollars for the purpose of paying (*a*) The balance due on the cost of erection of the new Town Hall, estimated at Six Thousand Dollars, (*b*) the balance due on outstanding promissory notes made by the said Corporation of the Town of Blind River amounting to Three Thousand Dollars and (*c*) a debt incurred by street improvements estimated at Three Thousand Dollars, and to provide for the issue of Debentures of the said Town to the amount of Eighteen Thousand Four Hundred and Fifty 20-100 Dollars to raise the sum required therefor." and "Town of Blind River, By-law No. 81. Being a By-law to amend By-law No. 78." be and the same are hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908", that certificates be granted approving the said By-laws and declaring the same valid and binding and that their validity is not open to question in any Court on any ground whatever, and that the Debentures to be issued under the authority of and in accordance with the said By-laws be also approved and that the same be certified, as provided by the said Act.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 581.

In the matter of the application of the Town of Bracebridge for an order validating its By-law Number 255, authorizing the issue of debentures to the amount of $45,000.00 for the purpose of extending and improving its Electric Light and Power Plant.

November 29. Application and material filed, considered and approved.
November 29. Order.

Upon the application of the above-named Corporation, and upon reading the affidavits of Alexander C. Salmon, Clerk, and Samuel H. Armstrong, Mayor, of the said town, and the certified copy of the said By-law, filed,

The Board orders that the said By-law Number 255 of the said Corporation, intituled, "By-law No. 255. A By-law for the purpose of raising by way of Debentures the sum of $45,000.00 for the purpose of extending and improving the Electric Light and Power Plant of the Town of Bracebridge, and for purchasing and acquiring certain water privileges and the lands adjacent thereto in the Township of Macaulay, in the District of Muskoka," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the Town of Bracebridge, and declaring the same valid and binding, and that its validity is not open to question in any Court on any ground whatever, and that the debentures to be issued under the authority of and in accordance with the said By-law be also approved, and that the same be certified, as provided by the said Act.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 582.

In the matter of the application of the City of Hamilton under 6 Edward VII., Chapter 34, Section 21, for the approval of the said Corporation's By-law No. 893 for the issue of debentures to the amount of $55,000 for the extension of the Waterworks System.

December 2. Application and material filed, considered and approved.
December 2. Order.

Upon the application of the above-named Corporation, and upon reading the Notice of Application filed by F. R. Waddell, Esquire, Solicitor for the Applicants, the certified copy of the said By-law, and the statutory declarations of John I. McLaren, Mayor; Samuel H. Kent, Clerk; William R. Leckie, Treasurer, and Andrew F. Macallum, Engineer, of the said City, filed.

The Board orders that the said By-law Number 893 of the Municipal Corporation of the City of Hamilton, intituled, "By-law No. 893. For the issue of Debentures for $55,000 for Extending and Improving the Waterworks," be and the same is hereby approved.

(L.S.) (Signed) James Leitch,
Chairman of the Ontario Railway and Municipal Board.

Procedure File No. 583.

In the matter of the application of the Town of Renfrew under 9 Edward VII., Chapter 73, Section 11, for an Order extending the time for issuing the debentures under By-law No. 357 (as amended by By-law No. 456) of the said Corporation.

December 3. Application and material filed and considered. Letter to Applicants to pass amending By-law and furnish further affidavit evidence.

December 17. Copy of amending By-law filed.

December 17. Order.

Upon the application of the said Corporation, and upon reading the Notice of Application, the affidavits of Arthur Gravelle, Mayor, and James K. Rochester, Clerk, of the said town, the copy of each of the said By-laws, and the other material, filed.

The Board orders that in pursuance of the provisions of Section 384 of "The Consolidated Municipal Act, 1903," as amended by Section 11 of "The Municipal Amendment Act, 1909," the time for the issue of the debentures authorized by By-law Number 357 of the said Corporation of Renfrew, intituled, "By-law No. 357. A By-law to raise by way of loan the sum of two thousand five hundred dollars for the purpose of constructing a bridge across what is commonly called Smith's Creek on Lisgar Street, in the McDougall Section of the Town of Renfrew, and to authorize the issue of Debentures therefor," as amended by By-law Number 456 of the said Corporation of the Town of Renfrew, intituled, "By-law No. 456. Whereas By-law No. 357 of the Town of Renfrew, authorizes the issue of Debentures to the amount of two thousand five hundred dollars ($2,500.00), payable in thirty annual instalments for the purpose of constructing a concrete bridge across what is commonly called Smith's Creek on Lisgar Street, in the McDougall Section of the Town of Renfrew," be and the same is hereby extended up to and inclusive of the twenty-fifth day of January, 1910.

(Signed) James Leitch,
Chairman of the Ontario Railway and Municipal Board.

Procedure File No. 584.

In the matter of the application of the Town of Renfrew for an order validating its By-law No. 357 (as amended by By-law No. 456) authorizing the issue of debentures to the amount of $2,500 to construct a bridge across Smith's Creek on Lisgar Street in said town.

December 3. Application and material filed and considered. Letter to Applicants to pass amending By-law and furnish further affidavit evidence.

December 17. Copy of amending By-law filed.
December 17. Order.

Upon the application of the said Corporation, and upon reading the Notice of Application, the copy of each of the said By-laws, the affidavits of Arthur Gravelle, Mayor, and James K. Rochester, Clerk, of the said town, and the other material, filed.

The Board orders that the said By-law Number 357 of the said Corporation, intituled, "By-law No. 357. A By-law to raise by way of loan the sum of $2,500.00 for the purpose of constructing a bridge across what is commonly called Smith's Creek on Lisgar Street, in the McDougall Section of the Town of Renfrew, and to authorize the issue of Debentures therefor," as amended by By-law Number 456 of the said Corporation, intituled, "By-law No. 456. Whereas By-law No. 357 of the Town of Renfrew, authorizes the issue of Debentures to the amount of two thousand five hundred dollars ($2,500.00), payable in thirty annual instalments for the purpose of constructing a concrete bridge across what is commonly called Smith's Creek, on Lisgar Street, in the McDougall Section of the Town of Renfrew," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the Town of Renfrew, and declaring the same valid and binding, and that its validity is not open to question in any Court on any ground whatever, and that the debentures to be issued under the authority of and in accordance with the said By-law be also approved, and that the same be certified, as provided by the said Act.

(Signed) James Leitch,
Chairman of the Ontario Railway and Municipal Board.

Procedure File No. 585.

In the matter of the application of the Town of Goderich for an Order validating its By-law No. 20 of 1909, guaranteeing the debentures of The American Road Machine Company of Canada, Limited, to the amount of $40,000.

December 8. Application and material filed, considered and approved.
December 8. Order.

Upon the application of the above-named Corporation, and upon reading the Notice of Application, filed by Messrs. Proudfoot, Hays and Blair, Solicitors for the Applicants, the affidavits of Alfred H. Macklin, Mayor: Loftus L. Knox, Clerk, and William L. Horton, Treasurer, of the said town, the certified copy of the said By-law, and the other material, filed,

The Board orders that the said By-law Number 20 of 1909, of the said Corporation, intituled, "By-law No. 20 of 1909 of the Town of Goderich. A By-law to guarantee the Bonds or Debentures of The American Road Machine Company of Canada, Limited," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the Town of Goderich, and declaring the same valid and binding, and that its validity is not open to question in any Court on any ground whatever, and that the debentures to be issued under the authority of and in accordance with the said By-law be also approved, and that the same be certified as provided by the said Act.

(Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 586.

In the matter of the application of the Township of Hudson for an Order validating its By-law No. 12, 1909, for the issue of debentures to the amount of $1,500 and interest for the erection of a School House.

December 9. Application and material filed (30 days from passing of By-law do not expire till 14th inst).

December 14. Application and material considered and approved.

December 14. Order.

Upon the application of the above-named Corporation and upon reading the Notice of Application, the affidavits of Robert G. Howie, Reeve, and Edmund Sackrider, Clerk, of the said township, and the certified copy of the said By-law, filed,

The Board orders that the said By-law Number 12, 1909, of the said Corporation, intituled, "By-law No. 12, 1909. A By-law to raise the sum of fifteen hundred dollars for the purpose of raising funds to complete and defray the extra cost of the erection of a school house and to authorize the issue of debentures therefor," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the Township of Hudson, and declaring the same valid and binding, and that its validity is not open to question in any Court on any ground whatever, and that the debentures to be issued under the authority of and in accordance with the said By-law be also approved, and that the same be certified as provided by the said Act.

(Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 587.

In the matter of the application of the Town of Orillia for an Order validating its By-law No. 481, to raise by way of debentures the sum of $50,000 for the purpose of loaning the same to the Tudhope Carriage Company, Limited.

December 17. Application and material filed, considered and approved.

December 17. Order.

Upon the application of the said Corporation, upon reading the Statutory Declarations of Charles Edward Grant, Clerk, and William Crawford Goffatt, Mayor, of the said town, the certified copy of the said By-law Number 481, the Petition of the Municipal Council of the said town, and the other material, filed,

The Board orders that the said By-law Number 481 of the Municipal Corporation of the Town of Orillia, intituled, "By-law No. 481 of the Town of Orillia. A By-law to raise by way of debentures the sum of fifty thousand dollars for the purpose of loaning the same to the Tudhope Carriage Company, Limited, to assist them in re-establishing and operating their factory in the Town of Orillia," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the Town of Orillia, and declaring the same valid and binding, and that its validity is not open to question in any Court on any ground whatever, and that the debentures issued under the authority of and in accordance with the said By-law be also approved, and that the same be certified as provided by the said Act.

(Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 588.

In the matter of the application of the City of Guelph for the approval of its By-law No. 730, to provide for the issue of debentures to the amount of $11,000.00 for the extension and improvement of the Waterworks System of said City.

December 17. Application and material filed and considered and returned for correction.

December 20. Corrected application and material received, considered and approved. Order.

Upon the application of the above-named Corporation, and upon reading the Petition of said Corporation, the affidavits of George David Hastings, Mayor, and Thomas James Moore, Clerk, of the said city, and the certified copy of the said By-law, filed.

The Board orders that the said By-law of the Municipal Corporation of the City of Guelph, intituled, "The Corporation of the City of Guelph. By-law No. 730. A By-law to provide for the issue of Debentures to the amount of $11,000.00 for the purpose of paying for extensions and improvements to the Waterworks and like purposes," be and the same is hereby approved.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 589.

In the matter of the application of the City of Guelph for an order approving of its By-law No. 723 for the issue of debentures to the amount of $3,640.00 to pay for the rebuilding the Huskisson Street Bridge and the Edinborough Road Bridges in the City of Guelph.

December 17. Application and material filed, considered and approved.

December 17. Order.

Upon the application of the above-named Corporation, and upon reading the Petition of the said City, the certified copy of the said By-law, and the affidavits of George David Hastings, Mayor, and Thomas James Moore, Clerk, of the said City, filed.

The Board orders that the said By-law Number 723 of the Municipal Corporation of the City of Guelph, intituled, "The Corporation of the City of Guelph, By-law No. 723. A By-law to provide for the issue of Debentures for $3,640.00, in order to pay for rebuilding the Huskisson Street Bridge and the Edinborough Road Bridges in the City of Guelph," be and the same is hereby approved.

(Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 590.

In the matter of the application of the Village of Madoc for the approval of its By-law No. 244, to provide for the issue of debentures to the amount of $6,000 for the extension and improvement of its Electric Light System.

December 22. Application and material filed.

December 28. Application and material considered and approved.

December 28. Order.

Upon the application of the above-named Corporation, and upon reading the certified copy of the said By-law, the statutory declarations of William S. Harper, Reeve, William H. McBain, Clerk, and Robert T. Gray, Treasurer, of the said village, and the other material, filed,

The Board orders that the said By-law of the Municipal Corporation of the Village of Madoc, intituled, "By-law No. 244. To raise by way of loan $6,000.00 upon the credit of the Municipality of the Village of Madoc," be and the same is hereby approved.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 591.

In the matter of the application of the Village of Madoc for an order validating its By-law No. 244 for the issue of debentures to the amount of $6,000 and interest for the extension and improvement of its Electric Light System.

December 17. Application and material filed, considered and approved.

December 17. Order.

Upon the application of the above-named Corporation, and upon reading the certified copy of the said By-law, the statutory declarations of William S. Harper, Reeve, William H. McBain, Clerk, and Robert T. Gray, Treasurer, of the said village, and the other material, filed.

The Board orders that the said By-law No. 244 of the Municipal Corporation of the Village of Madoc, intituled, By-law No. 244. To raise by way of loan $6,000.00 upon the credit of the Municipality of the Village of Madoc," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the Village of Madoc, and declaring the same valid and binding, and that its validity is not open to question in any Court on any ground whatever, and that the debentures issued under the authority of and in accordance with the said By-law be also approved, and that the same be certified as provided by the said Act.

(Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 592.

In the matter of the application for annexation to the City of Hamilton of that portion of Lot No. 19 in the Fourth Concession of the Township of Barton lying northerly of the brink or brow of the mountain.

December 22. Resolution by Hamilton City Council, declaring the expediency of the annexation, filed. Petition for annexation filed.

December 28. Appointment for hearing.

Notice is hereby given that the Municipal Council of the Corporation of the City of Hamilton has by Resolution passed on the 13th day of December, 1909, and amended on the 20th day of December, 1909, declared the expediency of the annexation to the City of Hamilton of the above described lands in the Township of Barton, and that the said Resolution and the said amendment thereto and a petition for such annexation signed by an alleged majority of the ratepayers of the said portion of the Township of Barton have been filed in the office of the Ontario Railway and Municipal Board.

And notice is further given that the said Board hereby appoints Tuesday, the 11th day of January, A.D. 1910, at the hour of half-past eleven o'clock in the forenoon, at its Chambers in the Manning Chambers, in the City of Toronto, to hear the application for the annexation mentioned in the said Resolution and Petition. Dated at Toronto this twenty-eighth day of December, A.D. 1909.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 593.

In the matter of the application of The Dunnville, Wellandport and Beamsville Railway, under 6 Edw. VII., Chap. 30, sec. 59, ss. 2, to have certified its Plan, Profile and Book of Reference of Mile 8 to 16.76 of the location for its line.

December 22. Plan, Profile and Book of Reference filed (see P.F.P. 46).

December 28. Plan, Profile and Book of Reference examined and certified.

PROCEDURE FILE NO. 594.

In the matter of the application of the County of Elgin for an order validating its By-law No. 754 (as amended by By-law No. 759) authorizing the issue of debentures to the amount of $20,000 to provide for the cost of Bridges and Registry Office in said County.

December 23. Application and material filed and considered. Letter to Applicants' Solicitor for explanation.

December 30. Explanation received and approved.

December 30. Order.

Upon the application of the said Corporation, and upon reading the Notice of Application, the copy of each of the said By-laws, the affidavit of Kenneth W. McKay, Clerk of the County Council of said County, and the other material, filed.

The Board orders that the said By-law Number 754 of the said Corporation, intituled, "By-law No. 754. To raise the sum of twenty thousand dollars to provide for the cost of bridges and registry office to be erected in the County of Elgin during the year 1909, and to authorize the issuing of debentures therefor," as amended by By-law Number 759 of the said Corporation, intituled, "By-law No. 759. To amend By-law No. 754," be and the same is hereby approved and validated.

And it is ordered, pursuant to the provisions of "The Ontario Municipal Securities Act, 1908," that a certificate be granted approving the said By-law of the Municipal Corporation of the County of Elgin, and declaring the same valid and binding, and that its validity is not open to question in any Court on any ground whatever, and that the debentures to be issued under the authority of and in accordance with the said By-law be also approved, and that the same be certified as provided by the said Act.

(L.S.) (Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

PROCEDURE FILE NO. 595.

In the matter of the application of the Town of Midland, under 6 Edward VII., Chapter 34, Section 21, for approval of its By-law No. 718, for the issue of debentures to the amount of $7,500.00 and interest for the extension and improvement of its Electric Light and Waterworks System.

December 23. Application and material filed, considered and approved.

December 23. Order.

Upon the application of the above-named Corporation, and upon reading the affidavits of Thomas I. Trueman, Clerk, Frank Wilson, Chairman of the Board of Light and Water Commission, and William McTavish, Superintendent and Treasurer of the said Board, of the said town, and the certified copy of the said By-law, filed, and upon hearing what was alleged by Counsel for the Applicants.

The Board orders that the said By-law of the Municipal Corporation of the Town of Midland, intituled, "By-law No. 718. A By-law to provide for the extension and improvement of the Electric Light and Water Works System of the Town of Midland, and to raise the sum of seven thousand five hundred dollars for that purpose," be and the same is hereby approved.

(Signed) JAMES LEITCH,
Chairman of the Ontario Railway and Municipal Board.

TABULATED SUMMARY OF ACCIDENT REPORTS RECEIVED IN 1909.

Passengers.		Employees.		Travellers on highway		Travellers at crossing.		Trespassers.		Unclassified.		Total.	
Killed.	Injured.	Killed.	Injured.	Killed.	Injured.	Killed.	Injured.	Killed.	Injured.	Killed.	Injured.	Killed.	Injured.
3	201	2	23	11	124						1	16	349

STATEMENT IN DETAIL OF TRAVELLING EXPENSES AND DISBURSEMENTS.

1909.

Apr.	—James Leitch, K.C., Chairman of the Board	$ 19 50
	—A. B. Ingram, Vice-Chairman of the Board	2 60
May	—James Leitch, K.C., Chairman of the Board	7 50
	—A. B. Ingram, Vice-Chairman of the Board	4 35
	—H. N. Kittson, Member of the Board	3 90
	—H. C. Small, Secretary of the Board	7 15
	—W. C. Coo, Court Stenographer of the Board	6 10
June	—James Leitch, K.C., Chairman of the Board	51 50
	—A. B. Ingram, Vice-Chairman of the Board	50 60
	—H. N. Kittson, Member of the Board	50 45
	—H. N. Kittson, Member of the Board	50 65
	—H. C. Small, Secretary of the Board	50 65
	—W. C. Coo, Court Stenographer of the Board	31 70
July	—James Leitch, K.C., Chairman of the Board	15 80
Aug.	—A. B. Ingram, Vice-Chairman of the Board	35 95
	—H. N. Kittson, Member of the Board	29 10
Sept.	—James Leitch, K.C., Chairman of the Board	10 50
	—A. B. Ingram, Vice-Chairman of the Board	15 35
	—H. N. Kittson, Member of the Board	8 85
	—H. C. Small, Secretary of the Board	9 85
	—W. C. Coo, Court Stenographer of the Board	16 10
Oct.	—James Leitch, K.C., Chairman of the Board	108 00
	—A. B. Ingram, Vice-Chairman of the Board	122 55
	—H. C. Small, Secretary of the Board	217 95
Nov.	—James Leitch, K.C., Chairman of the Board	12 95
	—A. B. Ingram, Vice-Chairman of the Board	12 15
	—H. N. Kittson, Member of the Board	4 15
	—H. C. Small, Secretary of the Board	7 20
	—W. C. Coo, Court Stenographer of the Board	5 30
Dec.	—James Leitch, K.C., Chairman of the Board	10 80
	—A. B. Ingram, Vice-Chairman of the Board	9 40
	—H. N. Kittson, Member of the Board	8 00
	—W. C. Coo, Court Stenographer of the Board	10 30
	Total	$956 25

The Ontario Railway and Municipal Board.

STANDARD SPECIFICATIONS FOR BRIDGES, VIADUCTS, TRESTLES OR OTHER STRUCTURES.

The following Regulations, Specifications, and Conditions are intended for the guidance of Companies and Municipal Corporations and their Engineers and Contractors for the protection of the Public.

Nothing done or directed to be done by virtue hereof shall relieve or be construed to relieve any Company or Municipal Corporation from any liability or responsibility resting upon it by law.

Engineer shall mean the Engineer employed by the Company or Municipal Corporation unless otherwise expressly stated.

The Company or Municipal Corporation shall employ a competent Engineer thoroughly versed in all the details of the work required to be done and in the calculations to be made, and all plans shall be signed by him as correct before being submitted to the Board.

Before any work is begun on any structure, the Company, or Municipal Corporation, for whom the structure is to be built, shall submit to the Board, for their approval, a complete set of plans, profiles, detailed drawings, and stress sheets as follows:

Stress sheets. The stress sheets shall be eighteen (18) inches by twenty-three (23) inches in size, upon which will be drawn a diagram of the truss and lateral systems. All the general dimensions and data upon which the calculations were made, and every possible information shall be clearly denoted on the sheet so that the Engineer of the Board may be able to satisfy himself as to the correctness of the calculations.

Below the diagram there will be a tabulated form enumerating members, stresses from live and dead loads, impact increment, the length of compression members in inches, the radius of gyration, with a sketch showing clearly the make-up of the member, unit stresses, formation of shapes of sections, areas required and net areas. The bending moments, shears, moments of resistance, and net areas of floor beams and stringers, shall be clearly defined, together with the process of working them out.

Stress sheets of swing bridges will have tabulated, in addition to the above information, the stresses produced by the five cases specified herein: The combination of stresses, stresses upon which sections are proportioned, reactions, stresses upon pivots or turntables.

General drawings. In addition to the stress sheets, the Board will require general plans of the structure, detailed drawings, cross sections, elevations, and the shapes of the various members, and every drawing necessary for the building of the structure. The preferable dimensions of these drawings shall be twenty-three (23) inches, by thirty-six (36) inches. Drawings of swing bridges shall show the type of turntable and a sketch of the operating machinery.

Signs.

The plus sign must be used in every case for compression, and the minus sign for tension stresses.

Dead weights

The dead weights used for calculating stresses must not be less than the actual weight of the structure when completed.

Any work done before the approval of the plans will be at the risk of the Company or Municipal Corporation, as well as of the Contractor employed by them, and in case of non-approval the Board may require the work so done to be reconstructed.

All plans shall be submitted in duplicate, the Board retaining one copy for its own use, and the other will be returned to the Company or Municipal Corporation, after approval, signed by the Chairman of the Board.

GENERAL CONDITIONS.

Length of span.

Whenever the term "Span" is used in these Specifications, it shall be considered as the distance between the centre of bearing plate on one abutment or pier, to the centre of bearing plate on the other abutment or pier, and not the clear distance between said abutments or piers; exception being made only in the cases of cross-girders or stringers in through bridges, when the span shall be reckoned as their full length.

Position of bearing-plate.

The edge of all bearing plates of girders or trusses shall be at least six (6) inches from the edge of the masonry cap prepared to receive them. Bearing plates for columns will be hereinafter specified.

Preferable span lengths

The limiting lengths for different types of bridges for railways, or electric railways, shall be as follows:

Spans up to eighteen (18) feet, but not exceeding that length—Rolled Beams.

Spans from eighteen (18) feet to eighty (80) feet—Riveted Plate Girders.

Spans from eighty (80) feet to two hundred (200) feet—Riveted Triangular Trusses.

Spans over two hundred (200) feet— Pin-connected, Single Intersection, or Riveted Trusses.

QUALITY OF METAL TO BE USED IN ALL STRUCTURES.

Railway Bridge, Medium and Soft Steel.

Requirements.

All steel used in structures coming under these Specifications shall be of the very best of its kind, and shall be obtained from manufacturers of repute. Only that made by the acid or basic open hearth process will be allowed; the Bessemer process shall not be used.

All finished material shall be free from piping, cracks, checks, flaws, blisters, or other imperfections, and shall have a smooth finish on its edges, a clean surface, and shall be true to section throughout. Finished material.

All plates up to and including thirty-six (36) inches in width shall have rolled edges. Rolled edges

A copy of all tests, analyses and inspection of every melt made as laid down in these specifications shall be furnished the Inspector, who will be appointed by the Engineer before the work commences, when called upon, and whose services shall be paid by the Contractor. Tests by melts.

The melt numbers shall be clearly stamped hot on all finished material rolled from the melts, and failure to do so or changes and confusion of those melt numbers may be sufficient cause for rejection of the material. Rejection of material shall go by melts if the tests at the mill are not satisfactory except when the local character of the defects can be clearly proved. Rivet and lacing steel, and small pieces for pin plates and stiffeners may be shipped in bundles securely wired together, with the blow or melt number on a metal tag attached.

All blooms, billets, or slabs, shall be examined for surface defects, flaws, or blow holes. Surface defects.

Tensile tests, for yield points, ductility and ultimate strength will be determined from standard test pieces, as follows: Those from angles, plates, shapes, etc., shall be rectangular in shape, with a cross-sectional area of preferably one-half (1-2) of a square inch, but not less, and shall be taken so that only two sides are machine finished, the other two having the surface which was left by the rolls. Test pieces, yield point.

Should fracture occur outside the middle third of the gauge length, the test is to be regarded as worthless if it falls below the standard. Any test piece showing a manifest flaw shall be rejected.

In case that one test piece falls slightly below the requirements in any particular, the Inspector may allow the re-testing of the whole lot or melt by taking four (4) additional tests from the said lot or melt; and if the average of the five (5) tests shall show the steel is within the requirements, the metal may be accepted, otherwise it shall be rejected.

Rivet rods and other rounds are to be tested in the form in which they leave the rolls, without machining.

All test pieces shall be cut from the finished material as they are required by the Inspector, and shall conform to the conditions as above set forth. They shall be taken from material rolled at a uniform heat, as it will not be permitted to roll at a special heat to meet the requirements of the specification if the material be rejected. Test pieces to be cut from finished material.

The Contractor shall furnish, at his own cost, at least two (2) bending, and two (2) tension test pieces, or as many more as the Inspector may require, and also such drifting test pieces as he shall deem necessary, also all labour and tools necessary to make the tests, and if the require- Test pieces to be furnished by contractor at his own cost.

ments are not satisfactory he shall provide such additional test pieces as may be called for to satisfy the conditions set forth above.

Appearance of pieces after fracture.

Test pieces when broken in the machine shall show at the fracture, a uniform fine grain of a fine silky blue-grey appearance, free from granular spots, coarse crystals, and shall be entirely free from brilliant specks.

Nature of requirements.

All steel entering into the construction of any structure erected under this specification shall fully meet the following requirements:

Elongation.

The percentage of elongation shall be determined from the test pieces after breaking, on an original length of eight (8) inches, which length must include the curve of reduction from the elongation on both sides of the point of fracture.

QUALITIES OF STEEL

Shapes.	Ultimate Tensile Strength, lbs. per Square Inch.		Elastic limit, percentage of ultimate strength.	Elongation, percentage in 8 inches.	Reduction of area, per cent.	Chemical Requirements.				
						Phosphorus.		Sulphur.		Manganese.
	Min.	Max.				Acid.	Basic.	Acid.	Basic.	
Rivets..........	48,000	56,000	60	$\frac{1,500,000}{\text{Ultimate}}$	55	0.04	0.04	0.04	0.04	0.60
Angles and Bars	58,000	66,000	55		50	0.06	0.04	0.05	0.05	0.60
Plates..........	58,000	66,000	55		50	0.06	0.04	0.05	0.05	0.60
Flanges of Beams & Channels ...	58,000	66,000	50		45	0.06	0.04	0.05	0.05	0.60
Eye-Bars.......	60,000	68,000	50		45	0.06	0.04	0.04	0.05	0.60
Pins	64,000	.. ..	50		40	0.06	0.04	0.05	0.05	0.60
Cast Steel......	65,000	....	50	20% in 2 inches	......	0.08	0.04	0.05	0.05	0.80

Cold bending tests.

Test pieces of medium steel must bend cold, or after being heated to a red heat and cooled in water at 75 deg. Fah., 180 deg. around a circle whose diameter is equal to the thickness of the test piece, without signs of cracking.

Test pieces of soft steel and rivet steel must be capable of bending 180 degrees and close down flat upon themselves without any sign of cracking, whether hot, cold, or quenched.

Rivet rods test.

Rivet rods or finished rivets, when heated to a cherry red and cooled in water of a temperature of 75 deg. Fah., shall bend double to close contact without showing sign of fracture on the outer side of the bend.

Angle tests.

All angles shall open flat, and angles one-half (1-2) inch and less in thickness shall bend cold shut under the blows of a hammer without sign of fracture.

Punched holes pitched two (2) diameters from a sheared edge shall stand cold drifting till they are expanded to one and a half (1 1-2) times their original diameter, without cracking the sides of the metal. Drifting.

Eye bars shall be rolled from ingots at least twenty-five (25) per cent. of the top cut off and show no sign of piping. The bars shall be rolled down in one heat from the bloom which shall be of sufficient thickness to insure the proper amount of work in rolling and the proper finishing temperature. Eye bars from ingots.

Test pieces shall be taken from the sides and centre of bars and tested annealed and unannealed; the cold unannealed bending tests shall be made on pieces the full thickness of the bar. Test pieces cut from finished eye bars shall meet the requirements given in the above table, except specimens cut from bars over one and one-half (1 1-2) inches thick, which shall show not less than twenty (20) per cent. elongation. Test pieces from eye bars.

All plates shall be rolled from slabs. These slabs shall be made by a separate operation, by rolling an ingot and cutting off the scrap. The original ingot shall have at least twice the cross-sectional area of the slab, and the latter shall be at least six (6) times as thick as the plate. Plates to be rolled from slabs.

Pins up to seven (7) inches in diameter may be rolled, but above that diameter they shall be forged. The rounds from which the pins are to be turned must be true, straight, and free from all injurious flaws or cracks. All forged pins shall be reduced from a single bloom or ingot until perfect homogeneity is secured throughout the whole mass. The blooms shall have at least three (3) times the sectional area of the finished pin. Forged pins shall be made under a steam hammer striking a blow of at least five (5) tons. No forging shall be done below a red heat. Pins, rolled and forged.

The Contractor shall make, if called upon to do so, at his own expense, under the direction of the Engineer or his Inspector, such tests of full-sized members, or details, as the Engineer may prescribe, provided that the said members or details are similar to those used on the work, and provided that the total cost to the Contractor of such extra test does not exceed one-quarter of one per cent. of the total contract price of the work. Full sized members tested to destruction.

Material, in full sized members, if not in exceptional shape or sizes, tested to destruction, is intended to develop the full strength required of the material above specified for test pieces both as to elastic limit and ultimate strength. Elongation of full sized members may vary with their length, but shall not fall below twelve and a half (12 1-2) per cent.

Full sized eye bars of medium steel tested to destruction, shall have an ultimate tensile strength of not less than fifty-eight thousand (58,000) pounds per square inch for bars nine (9) square inches and less in section, and fifty-six thousand (56,000) pounds per square inch for bars in excess of the above area; an elastic limit of not less than fifty (50) per cent. of the ultimate strength of the bar. They shall elongate ten Tests on full-sized eye bars.

(10) per cent. of their full length, and twelve and a half (12 1-2) per cent. in a gauged length of fifteen (15) feet, which shall include the point of fracture in the bar.

Appearance of fracture.

All fractures shall show more than eighty (80) per cent. silky, and be free from granular spots; a dull fracture will be considered a failure of the test.

Number of tests to be made.

The number of tests of full sized eye bars will depend upon the size of the order and upon the regularity of the results of the tests. In general, for small orders, the number of tests shall be about three (3) per cent. of the number of eye bars in the order, but never less than two (2) bars for an order for a single span. For large orders the number of tests shall be about two (2) per cent. of the number of eye bars in the order. Should the Inspector find the bars to be very uniform in strength, elasticity, and ductility, and fully up to specifications, he will be at liberty to reduce the number of tests of full sized bars. In the case of testing long bars, it will be allowable to choose a bar at random from a number of finished bars, cut it in two, and upset the cut end of each piece, thus making two test bars.

Bars which break in the eye, and comply with the requirements of the body of the bar, will not be cause for rejection of any lot of bars unless one-quarter (1-4) of the bars tested break in the eye.

Annealing of members heated.

All members, wholly or partly heated in working, except offset stiffeners, or bent cold, shall afterwards be carefully annealed.

Rejected material.

All material shall successfully bear every test similar to those to which it may be subjected during the process of manufacture, and in demonstrating its ductility and toughness. Any material which does not come up to the standard of these specifications, as described, shall be rejected and shall not enter anywhere into the construction of the work.

Failure in shop.

All material, which subsequently to the tests at the mill and to its acceptance there, during manipulation in the shops under shears, punch, etc., which shows it is not of uniform quality, as herein specified, and in which hard spots, brittleness, cracks and other defects are developed shall be rejected and replaced by the Contractor with material which will fully conform to all the conditions of this specification, and it is expressly understood that the mill inspection and acceptance does not bar the right of the Engineer or his representatives to reject in the shop any material which is found defective or inferior in quality and uniformity to the material required by these Specifications.

Allowable variation in weight.

A variation in cross-section, or weight, of each piece of steel more than two and one-half (2 1-2) per cent. from that specified will be a sufficient cause for rejection, except sheared plates, these being allowed the following permissible variations, which, also, apply to single plates:

Plates twelve and one-half (12 1-2) pounds per square foot, or heavier:

When ordered to weight.

(A) Up to one hundred (100) inches wide, two and one-half (2 1-2) per cent. above or below the prescribed weight.

(B) One hundred (100) inches wide and over, five (5) per cent. above or below.

Plates under twelve and one-half (12 1-2) pounds per square foot:

(*a*) Up to seventy-five (75) inches wide, two and one-half (2 1-2) per cent. above or below.

(*b*) Seventy-five (75) inches and up to one hundred (100) inches wide, five (5) per cent. above or three (3) per cent. below.

(*c*) One hundred (100) inches wide and over, ten (10) per cent. above or three (3) per cent. below.

When ordered to gage.

Plates will be accepted if they measure not more than 0.01 inch below the ordered thickness.

Excess over nominal weight.

An excess over the nominal weight, corresponding to the dimensions on the order, will be allowed for each plate, if not more than that shown in the following table, one (1) cubic inch of rolled steel being assumed to weigh 0.2833 pounds:

Thickness Ordered.	Nominal Weights.	Width of Plate.			
		36 in. to 75 in.	75 in. and up to 100 in.	100 in. and up to 115 in.	Over 115 in.
¼ inch........	10.20 lbs.	10 per cent.	14 per cent.	18 per cent.	....
5/16 "	12.75 "	8 "	12 "	16 "	....
⅜ "	15.30 "	7 "	10 "	13 "	17 per cent.
7/16 "	17.85 "	6 "	8 "	10 "	13 "
½ "	20.40 "	5 "	7 "	9 "	12 "
9/16 "	22.95 "	4½ "	6½ "	8½ "	11 "
⅝ "	25.50 "	4 "	6 "	8 "	10 "
Over ⅝ inch....	....	3½ "	5 "	6⅓ "	9 "

Excess shipping weight.

Should the shipping weight of any entire order of fabricated material exceed by more than two (2) per cent. the weight computed from the approved shop drawings, the amount in excess of the said two (2) per cent. will not be paid for, unless in the entire order the weight of plates exceeding thirty-six (36) inches wide be greater than thirty (30) per cent. of the whole, in which case the allowable variation shall be increased to three (3) per cent.

Re-entrant corners.

No sharp or re-entrant unfilleted corners will be allowed anywhere in the work.

Cast Steel.

Requirements.

All steel castings shall be made of acid open hearth steel not exceeding the percentages of phosphorus, sulphur, and manganese given in table of qualities of steel, and having an ultimate strength of sixty-five thousand (65,000) pounds, and shall conform to all other requirements given in the above table.

Finish.

All castings shall be true to pattern and drawings, shall be carefully and uniformly annealed and free from blow holes, sponginess, shrinkage, cracks, waste, pouring faults and all other defects. They shall be finished smooth and clean and all corners therein shall be properly filleted.

Runners for testing.

Steel castings will be tested for strength and ductility from runners cast in pieces and annealed with the castings; such runners will be turned down to not less than one-half (1-2) of a square inch in section for a length of six (6) inches; they shall bend cold at right angles on a round corner to a radius of the diameter of the test piece.

Cast Iron.

Requirements.

When cast iron is specified for any particular work all castings shall be of tough grey iron with not over 0.10 of sulphur, free from injurious cold shuts or blow holes, true to pattern and thickness, and of a workmanlike finish.

Samples for testing and mode of testing.

Sample pieces one (1) inch square, cast from the same heat of metal in sand moulds, shall be capable of maintaining on a clear span of four feet six inches (4 ft. 6 in.) a central load of five hundred (500) pounds when tested in the rough bar. Three test pieces shall be furnished by the Contractor from every heat, which, if upon testing, they do not stand the specified test, all the castings made from that heat will be rejected. A blow from a hammer shall produce an indentation on a rectangular edge of the casting without flaking the metal.

Finish.

All castings shall be straight and true with proper and approved thickness of metal, and shall have perfect sharp and clear lines, angles and mouldings, all re-entrant angles being properly filleted.

Wrought Iron.

Quality.

All wrought iron, if any be used, must be of the best quality obtainable, tough, ductile, fibrous, and of a uniform quality; straight, smooth, and free from cinder-pockets, or injurious flaws, buckles, blisters, or cracks, and must be thoroughly welded during rolling. No scrap steel shall be used in its manufacture.

Tests.

Test pieces cut from the finished material shall show an ultimate tensile strength of not less than fifty thousand (50,000) pounds per square inch, with an elastic limit of not less than twenty-six thousand (26,000) pounds per square inch, and an elongation of not less than twenty (20) per cent. in eight (8) inches.

Unit stress.

All wrought iron must bend cold, wihout sign of fracture, one hundred and eighty degrees (180 deg.) to a curve whose diameter equals twice the thickness of the test piece. Test pieces when nicked and broken shall show a fibrous fracture of at least ninety (90) per cent.

The unit stress shall be twenty per cent. (20%) less than medium steel.

Rollers for Draw-spans.

Number of tests required.

The Contractor shall make, at his own expense, under the direction of the engineer or his inspector, for each draw-span, tests, not exceeding three (3) in number, of full sized cast rollers; also any tests of specimens of the metal for the same that may be considered necessary by the engineer to determine its quality.

CONSTRUCTION AND WORKMANSHIP.

Centre of pins, centre of gravity.

Unsymmetrical sections composed of two rolled or riveted channels and one plate, shall, in chords, be so proportioned that the centre of pin in abutting members shall be in the same line and in the centre of gravity of the section.

Details accessible for painting, etc.

Details which will be most accessible for inspection, cleaning and painting will be preferred, but must be of a design satisfactory to the Engineer.

Limiting section thickness.

No material shall have a thickness less than three-eighths (3/8) of an inch in railway bridges, whether in plates or shapes, except lattice bars, stiffeners, or wind bracings, these latter shall not be less than 3-inch by 2½-inch by 5-16-inch angles.

Size of posts and angles in through bridges.

In through railway pin-connected bridges no posts, channels, whether built or rolled, shall be less than ten (10) inches deep. No angle less than 2½x3x3-8 inches will be used in girders or truss members, or in any member having seven-eighth (7/8) inch rivets.

Limiting size of angle, etc.

No angles less than 3x2½x5-16 inches shall be used in any part of the structure. No lateral or diagonal rod shall have a less area than one (1) inch square. Splice plates on chords and end posts shall not be less than three-eighths (3/8) of an inch thick.

Length of angles, plates, etc.

Angles, web plates and flange plates shall be as long as possible to avoid splicing.

Upper chord and end posts.

Upper chord and end posts shall consist of built or rolled channels, and sufficient metal shall be concentrated at the bottom so that the centre of gravity shall be near the centre of the web. They shall preferably have a cover plate which if specified by the Engineer may not be considered as an area of cross section.

Workmanship.

All metal shall be carefully straightened before being turned over to the shops; all workmanship shall be first-class in every particular, and all metal work exposed to view shall be neatly finished. The ends of floor beams and stringers when framed in shall be squared in the facer. The end angles must be fitted so that the facing does not reduce the thickness of the angles by more than one-eighth (1/8) of their original thickness. The cut shall extend over the whole thickness of the angle.

Idle corners, etc.

All idle corners of plates and angles, such as the ends of the unconnected legs of angle lacing, shall be neatly chamfered off at an angle of about forty-five (45°) degrees, so as to give a slight finish to the work, and to avoid the bending of the said corners during shipment and erection.

Sheared edges.

All sheared and hot cut edges shall have not less than one-quarter (¼) of an inch of metal removed by planing to a smooth and finished surface. Lacing bars, fillers, stay plates and stringer bracing connecting plates only will be exempt from this requirement. The ends of riveted chords shall be faced after riveting except projecting splice plates.

Annealing.

In all cases when a steel piece in which the full strength is required has been partly heated or bent, the whole piece must be subsequently annealed. In pieces of secondary importance, where the bending is slight, the bending may be made cold, and no annealing in such cases will be required. Crimped stiffeners for webs will not require annealing.

All eye bars shall be carefully and uniformly annealed at a dark orange heat.

Heating beams.

Heating beams to cut them will not be allowed, and no patched beams will be permitted.

Close fit.

The several pieces forming built-up members, must fit closely together without open joints, especially pin bearing cords and end posts.

Holes.

All members must be straight and out of wind; all holes accurately bored both in position and direction and the lengths correct within one-thirty-second (1-32) of an inch, and within one-fiftieth (1-50) of an inch for all pieces of the same set.

Templates and marking, etc.

All material must be straightened before being laid off, also after punching and before assembling. The templates must lie flat without distortion while marking is being made.

Lodgment of water.

Places where water will lodge must be drained or filled with waterproof material.

Camber and lengths.

All bridges, of eighty (80) feet span and over, shall be cambered by making the panel lengths of upper chord longer than the lower chord in the proportion of one-eighth (⅛) of an inch in ten (10) feet.

The increased length of top chord shall be neglected in computing the lengths of main ties, but considered when computing the lengths of inclined end posts and counter braces.

INSPECTION.

Tests to be made promptly.

The inspection and tests of metal shall be made promptly on its being rolled or cast, and the quality will be determined before it leaves the rolling mill or foundry. The inspection of workmanship will be made as the manufacture of the material progresses, and at as early a period as the nature of the work will permit.

All facilities for inspection of material and workmanship shall be furnished by the Contractor; and the Engineer and his Inspectors shall have free access to any of the works in which any portion of the material is being made. Facilities for inspection.

The Contractor shall give the Inspector due notice when any material is ready for inspection. Any delay on the part of the Inspector shall be reported to the Engineer, but no material will be accepted which has not been passed upon by the authorized representative of the Engineer. Due notice to be given to inspector.

METAL.

Unless where otherwise specified, all metal shall be of medium steel of the quality and strength given in the preceding table; excepting that rivets and bolts shall be of soft steel. Nature.

Except for purely ornamental work, and a few details of the operating machinery of draw bridges, cast iron will not be allowed in the superstructure of any bridge, trestle, viaduct, or elevated railway, cast steel being employed wherever important castings are necessary. Cast iron.

STEAM RAILWAY BRIDGES.

The clear open section of through bridges shall not be less than sixteen (16) feet on a straight track, as shown on the diagram at the end of these specifications; and in any case the distance centre to centre of trusses shall not be less than one-twentieth (1-20) of the effective span which is the distance from centre to centre of bearing plate. Width of through span.

On a curve track the clear width must be increased to provide the same minimum clearance between cars and truss for a car eighty (80) feet long and fifty-nine (59) feet between the centres of trucks, allowance having been made for curvature and super-elevation of rail. Clearance on curve track.

Double tracks will be generally placed thirteen (13) feet centre to centre. Double track.

The headway clearance must in all cases comply with the Statute, 3 Edward VII., chap. 58, sec. 202, which requires that every bridge or structure through which a railway passes, shall have an open, or clear, headway of at least seven (7)) feet between the top of the highest freight car used on the railway, and the bottom of the lower beams, members, or portions, of that part of such bridge, or structure over the railway. Headway.

On curves the outer rail will be elevated one-half (1-2) inch per degree of curve, and this elevation will be framed in the ties as no shims will be allowed. Elevation of rail.

ELECTRIC RAILWAY BRIDGES.

In through bridges there shall be a clear width of at least six and one-half (6½) feet on each side of the centre of track, at a height of ten (10) inches above the rail. Width of through span.

Clearance on curve track.

Upon a curved track the clearance shall be correspondingly greater, calculated with a car forty-five (45) feet in length, eight (8) feet in width, and twenty (20) feet between centres of truck. The edges of running board shall have at least nine (9) inches clearance of any part of the track and at least six (6) inches above it. Through bridges shall have a clear head room, above the top of rail, of at least fifteen (15) feet, for a width of six (6) feet over the railway track.

STRUCTURAL LOADS.

In designing the members of structures they shall be proportioned for the following loads:—

Dead load.

(a) **Dead loads for steam railways** shall be the weight of the entire structure including the floor system, rails, ties and guard timbers. The weight of the ties, guard timbers, rails, &c., shall be assumed at six hundred (600) pounds per lineal foot of track for eight (8) inch x ten (10) inch ties, fourteen (14) feet in length. For larger ties the additional weight of timber will be calculated at four (4) pounds per foot of board measure. Ballast will be assumed to weigh one hundred (100) pounds per cubic foot.

(b) **Dead load for Electric Railway** shall be the weight of the entire structure, including the floor system, rails and guard rails. The weight of timber being assumed at four (4) pounds per foot board measure. The weight of rails, steel guard rails, spikes and bolts, shall be estimated at not less than one hundred (100) pounds per lineal foot of each track, and the total weight of floor above the stringers shall not be taken at less than three hundred (300) pounds per running foot of each track. Structures carrying steam railway freight cars, shall be proportioned for dead load accordingly.

Live load.

(c) **Live load for Steam Railways** shall consist of two (2) consolidated engines coupled, connected with, and followed by a train of a stated weight per lineal foot of track, but in no case shall the live load be less than one of the classes, nor less than the two heaviest consolidated engines running on the railway. The classes above mentioned are shown on the diagram at the end of this specification.

For Class II and under, if a load of 100,000 pounds, or above Class II a load of 120,000 pounds on two axles spaced seven (7) feet apart, would produce greater stresses than those due to the diagram wheel loadings as above, such stresses shall be provided for.

The diagram loadings are based upon the weight of locomotives now in use; the minimum live load suggested is Class II with other classes proportioned.

(d) **Live load for Electric Railways** shall be as denoted on the diagram at the end of this specification and marked Electric Railway. When carrying heavy freight the loading shall be generally "Class Special Light on the diagram for engine loads.

Impact, stress in one direction.

(e) Impact Allowance Load.—To counteract the effect of impact and vibrations, the stresses produced by the above specified dead and live loads shall be increased by this loading.

In each member stressed in one direction, either tension or compression, the combined dead and live load stresses shall be increased by the quotient of the square of the live load stress stress divided by the sum of the dead and live load stresses; or in other words,

Let L = the stress produced on any member due to live load.
D = " " " " " dead load.
I = impact allowance load to be added to the combined stresses produced by the dead and live loads.

$$\text{Then } I = \frac{L^2}{D+L}$$

Impact, stress in opposite direction.

In each member stressed in an opposite direction, all the stresses arising from tension, and those from compression, are to be figured separately, and the impact allowance for each added to them, after which seventy-five (75) per cent. of the smaller area is to be added to the larger area to obtain the total area required in the member. The rivets, or pins, are to be figured for the sum of the full amounts of the tensile, and compressive stresses with their impacts included. Reversion of stresses due to wind loads need not be figured when computing sectional areas of members and number of rivets required, but the piece must be stiffened to resist compression.

Increment, for spans under eighty feet.

For spans under eighty (80) feet the live load shall be multiplied by the factor (1.40—$\frac{}{200}$) in which L is the loaded distance in feet producing the maximum stress. This new loading shall then be considered the live load and the impact allowance shall then be calculated as above.

Counters.

In such members which have dead and live loads of an opposite character, only seventy (70) per cent. of the dead load stress shall be considered as effective in counteracting the live load and impact stresses. In such members the impact shall be the live load stress; and the stress used in proportioning the section of the member will be the algebraic sum of seventy (70) per cent. of the dead load, the live load, and the impact, or the dead load stress in case such is existent alone; whichever produces the maximum section.

(f) Wind Load for Railway Bridges. The force of the wind shall be considered a moving load but without impact increment. In deck bridges of less than two hundred (200) feet span the bottom lateral bracing shall be proportioned to resist a uniformly distributed lateral force of two hundred (200) pounds per lineal foot of bridge. The top lateral bracing shall be proportioned to resist the force of six hundred (600) pounds per lineal foot of bridge, applied at a height of eight (8) feet above the base of rail.

In through bridges of less than two hundred (200) feet span, the top lateral bracing shall be proportioned to resist a uniformly distributed lateral force of two hundred (200) pounds per lineal foot of bridge. The bottom lateral bracing shall be proportioned to resist a force of six hundred (600) pounds per lineal foot of bridge, applied at a height of eight (8) feet above the base of rail.

Bridges of more than two hundred feet span shall have the wind bracing designed for the exposed surface area, namely:

(1) The full live load on the structure. The wind pressure will be assumed at thirty (30) pounds per square foot on the exposed area of surface of all trusses and of the floor taken in elevation, and also on the exposed area of a train of ten feet in average height commencing two (2) feet six (6) inches above the base of rail moving across the bridge.

(2) The wind pressure assumed at fifty (50) pounds per square foot on the exposed area of surface with no live load on the structure.

The lateral bracing shall be proportioned on the result of the two conditions which will give the greatest area of cross section, but in either case no sectional area shall be less than that found for spans under two hundred (200) feet.

(g) Wind Load for Electric Railways. For calculation of wind stresses, the exposed surface of the loaded structure shall be that of the unloaded structure and an exposed surface of ten feet in height and forty (40) feet long, the pressure on which will be considered the moving load. The lateral force to be provided for shall be fifty (50) pounds per square foot on the unloaded surface, or thirty (30) pounds per square foot on the loaded structure, exposed surface area.

(h) Centrifugal Load for Steam Railways. This applies to structures on curves, and shall be assumed to act five (5) feet above the base of rail, and shall be taken at 0.02 of the live load for each degree of curve up to five (5) degrees. For curves above five (5) degrees it shall be taken at 0.001 for every degree of curve.

(i) Centrifugal Load for Electric Railways will be assumed at ten (10) pounds per running foot for each degree of curvature acting at five (5) feet above the base of rail.

(j) Traction Load for Steam Railways. The total traction load on any portion of a structure is to be taken as twenty (20) per cent. of the greatest live load that can be placed on that portion of the said structure.

In proportioning the towers and columns of trestles and elevated railways, the towers and columns between consecutive expansion joints are to be assumed to receive no aid from neighboring towers and columns, but must be figured for the greatest possible traction load between said consecutive expansion points. No percentage of impact is to be added to traction loads.

(k) Traction Load for Electric Railways shall be provided for, equal to fifteen thousand (15,000) pounds applied at the top of the rail.

(l) Changes of Temperature. In ordinary structures changes of temperature will not affect the stresses in the members, provided, that proper precautions be taken to permit unrestricted contraction and expansion. But in all arches, excepting only those hinged at both ends and at the crown, the stresses caused by the assumed extreme changes of temperature must be computed and duly considered. Variations in lengths from a change in temperature of one hundred and eighty (180) degrees Fah., shall be provided for.

STRESSES.

Maximum Stresses.

All parts of the structure shall be proportioned to sustain the maximum stresses produced by the live and dead loads, as specified, and of the wind and centrifugal force when on curves.

Dimensions of trusses and girders for calculating stresses.

For calculating stresses, the length of span will be the distance between centres of end pins of pin connected trusses, and the distance between the centres of bearing plates of other girders.

The effective length of stringers will be the distance between centres of floor beams and the length of floor beams the distance between centres of trusses.

The depth for calculation of girders will be the distance between centres of gravity of flange section, provided it does not exceed the distance out to out of angles in which case the latter will be considered the depth.

The length of posts and compression diagonals in pin bridges shall be the centre to centre distance of pins. In rivetted spans the length may be taken between connection plates, except in trestle posts when the length will be from cap or base plate to the centre of intermediate struts.

Rivets and pins, bending.

The bending in rivets and pins will be estimated at the distance between centres of bearing.

Stresses from uniform load.

In the calculation of stresses from a uniform moving load, the load shall cover the panel in advance of the point considered; but the half panel load going to the forward panel will not be considered.

Net section.

The net section of any tension flange or member, shall be determined by a plane cutting the member square across at any point. The greatest number of rivet holes which can be cut by the plane, or come closer than two (2) inches of the plane, are to be deducted from the gross area of section.

Lateral diagonal.

When lateral diagonals are incapable of taking one-half the shear of any panel, considered in compression, they shall be proportioned for tension only.

COMBINATION STRESSES.

Plate and open web riveted girders.

In the girders of plate-girder spans and of deck open webbed riveted girder spans, the only stresses which need to be considered are those caused by the dead, live and impact loads for bridges on tangents, to which loads must be added the centrifugal load as a part of the live load for bridges on curves.

Through bridges.

The trusses of through bridges will be affected by the dead, live, impact, and wind loads, and centrifugal load to be treated as part of the live load when on curves.

Deck bridges.

The trusses of deck bridges will be affected by all these loads. In no cases will the traction load affect the trusses of bridges to such an extent as to require consideration, so that the only provision for traction load required in through or deck bridges is sufficiently rigid bracing to carry it from the track to the trusses to prevent horizontal bending of floor beams.

The above does not apply to steel trestles where traction loads must be applied, as will be set forth in Specifications on Trestles.

Wind stress combined with centrifugal and temperature stresses.

The stresses from the assumed wind forces, or in combination with any centrifugal or temperature stress, need not be considered, unless the wind stresses on any member exceeds one-quarter of the maximum stresses due to the live and dead loads upon the same member, the section will then be increased until the total stress per square inch will not exceed by more than one-quarter the maximum fixed for live and dead loads.

When the wind stress, as above, or in combination with a possible temperature stress, can neutralize or reverse the tension in any part of the lower chord, it shall be stiffened and proportioned to take compression arising from the said wind stress or combination.

Initial stress on laterals.

In excess of wind stress, lateral and longitudinal struts will be proportioned to resist the resultant of an initial stress of 10,000 pounds per square inch upon all rods connected to them.

Combined direct and bending stresses.

A member subject to bending and transverse stress as when the ties rest on the chords of bridges, in addition to the direct stress due to its position it shall be considered as a beam of one panel length supported at the ends. The member will be proportioned to sustain the sum of the stresses resulting from the direct stress and three-fourths (¾) of the stresses resulting from the maximum bending moment, with the necessary allowance for impact added to both loadings. The bending moment at the panel points will be considered equal to that at the centre, but in opposite directions.

ASSUMED LOAD FOR ANCHORAGE.

To obtain the anchorage required for a loaded structure the train will be assumed at eight hundred (800) pounds per lineal foot.

COLLISION STRUTS.

These shall be placed in the best position to take the shocks of a derailed train striking four feet (4 ft. 6 in.) six inches above the base of rail, and shall be proportioned to take a thrust of fifty thousand pounds acting in the direction of the plane of truss.

UNIT STRESSES ON MEDIUM STEEL COMPRESSION.

Compression stresses.

The unit stresses for compression members having a greater ratio of length to the least radius of gyration than thirty-five (35) are to be reduced by the following formulae:—

Let L = length of compression member in inches.
r = least radius of gyration in inches, then

I. For flat or fixed ends: $$16{,}000 \div 1 + \frac{l^2}{18{,}000\ r^2}$$

II. For one flat and one pin end: $$16{,}000 \div 1 + \frac{l^2}{12{,}000\ r^2}$$

III. For pins at both ends: $$16{,}000 \div 1 + \frac{l^2}{9{,}000\ r^2}$$

Formula III shall be used for all trestle posts.

Unsupported lengths.

No compression member shall have a length exceeding forty-five (45) times its least width, nor an unsupported length in any direction exceeding one hundred (100) times its least radius of gyration, about an axis perpendicular to that direction, excepting wind bracing and lateral struts which may have an unsupported length of one hundred and twenty (120) times the least radius of gyration.

Permissible stresses.

The maximum unit stresses in any part of a structure shall not exceed the following amounts in pounds per square inch:—

TENSION.

Tension on eye bars 17,000 pounds per square inch.

Tension on shapes, main diagonals and laterals, soft steel adjustable members, hip verticals, net sections of plate girder flanges assuming one-eighth (⅛) of the web area to act as part of each flange, extreme fibres of rolled I beams, and on shapes in body of suspenders, and hanger plates .... 16,000 pounds per square inch.

SHEARING.

On shop driven rivets in reamed or drilled holes	10,000	pounds	per	square	inch
On pins	12,500	"	"	"	"
On webs of girders, gross area........	10,000	"	"	"	"

BENDING.

On outer fibres of pins	25,000	"	"	"	"
On extreme fibres of rolled shapes, built sections and girders; net section	16,000	"	"	"	"

BEARING.

On diameter of shop driven rivets in reamed or drilled holes	20,000	"	"	"	"
Pins	22,000	"	"	"	"

FIELD RIVETS.

Field rivets shall be increased above the number determined by the above stresses, if driven by hand, 25 per cent.

Power driven field rivets shall be increased 10 per cent.

Turned bolts to be taken at the unit stress of field rivets.

ROLLER STRESSES.

Per lineal inch of rollers or rockers, cast iron $750\sqrt{D}$

Per lineal inch of rollers or rockers, steel, $1200\sqrt{D}$

Where D represents the diameter of roller in inches.

Discs. Steel or bronze discs of pivots of swing bridges ....3,000 pounds per square inch

Bed plates on masonry. Bed plates, etc., upon first-class masonry, and upon Portland cement concrete, not less than one month old:—

Sandstone	300	pounds	per	square	inch
Concrete	400	"	"	"	"
Sound limestone	400	"	"	"	"
Granite	500	"	"	"	"

CO-EFFICIENT OF FRICTION.

Wrought iron or steel on itself	0.15
Wrought iron or steel on cast iron	0.20
Wrought iron or steel on masonry	0.25
Wheels on rails	0.20
Masonry on itself	0.50

UNIT STRESSES FOR ELECTRIC RAILWAY BRIDGES.

Electric railway bridges.

Unit stresses for electric railway bridges may be taken twelve and one-half (12½) per cent. in excess of the preceding unit stresses.

ROLLED I BEAM SPANS.

Rolled I beams used as longitudinal girders shall have, preferably, a depth of not less than one-twelfth (1-12) of the span. The width of flanges shall not be less than one-sixteenth (1-16) of the distance between supports. Beams shall be proportioned by their moments of inertia.

Bearing plates and anchor bolts.

They shall have two bearing plates each three-quarters of an inch (¾ inch) thick at each end, with sheet lead one-quarter (¼) inch thick between the bottom plates and the masonry; one of these plates to be rivetted to the beam and bearing on the second resting on the masonry; the faces of the two plates which bear against each other shall be planed true. The plates at one end shall have round holes one-eighth (⅛) inch larger in diameter than the anchor bolts, and the plates at the other end shall have slotted holes, the small diameter of which will be the same as for the round holes, and the long diameter of sufficient length to allow for expansion and contraction as specified.

There shall be two anchor bolts through each set of bearing plates of at least seven-eighths (⅞) inch diameter, penetrating the masonry at least twelve (12) inches, and provided with a suitable nut for tightening up the steel work.

Number of beams.

The number of beams under each rail shall depend upon the stresses produced by the maximum wheel loading, with the dead load and impact load added thereto.

Bracing.

In the case of one beam per rail, they shall have rigid cross struts and transverse bracing riveted to the webs.

With two or more beams per rail, there shall be wrought metal separators between the beams, on a line with the transverse framing, all riveted to the webs.

For spans over ten (10) feet, diagonal bracing shall be used on the top flanges between the frames.

There shall be a transverse frame at each end of the girder, and one in the centre. Stiffening angles shall be riveted at both ends with a close fit to the flanges.

PLATE GIRDER SPANS.

Depth.

The depth of plate girders shall be, preferably, one-tenth (1-10) to one-twelfth (1-12) of the span. In special cases for light traffic, as on electric railways, where head room is limited, one-fifteenth (1-15) of the span may be used.

Long pieces and splicing in web.

All plate girders, whenever practicable, shall be built without splices in webs; and, when such become necessary, the smallest number shall be used. Splice plates, not less than three-eighths (⅜) inch thick, and rivets for the splices, shall be such as to develop in every respect the full strength of the net section of the web, the main splice plates extending from flange to flange and having at least two (2) rows of rivets on each side of the joints. In addition to these, each flange shall be spliced by two cover plates on the top of the vertical legs of the flange angles. These must be long enough to develop by the connecting rivets at least twenty-five (25) per cent. more than the full strength of their net section.

Splices in flanges.

Splices in flange plates and angles must always be avoided when sufficiently long plates and angles are procurable. When flange splices are unavoidable, they must be so located that no two pieces of either the flange or the web shall be spliced within two (2) feet of each other, and so that no flange splice shall occur at any point where there is not an excess of sectional area above the theoretical requirements. Every non-continuous flange piece shall be fully spliced so that the splicing plates and rivets shall have a calculated strength of at least twenty-five (25) per cent. more than that of the section spliced. Field splicing of plate girders will not be allowed.

Flange angles must be spliced with angle covers and plates whenever cut within the length of the girder. The ends of joints must be dressed straight and true, as no open joints will be allowed.

Flange area.

At least one-half of every flanged section must consist of angles, or else the heaviest sections of angles must be used. When flange plates are used the number must be made as small as possible, in no case exceeding three (3) per flange. The plate next to the angles on the top flange shall extend the full length of the girder. The lengths of these cover plates must be such as to make them project at each end not less than nine (9) inches beyond the point determined by calculation for the requisite resistance to bending. The plates shall be of equal thickness, or decrease in thickness outwards. When they project more than three (3) inches beyond the edge of the flange angle, an extra line of rivets shall be driven along each edge nine (9) inches pitch for the outer row.

Compression flanges.

The compression flanges of plate girders shall be made of the same gross section as the tension flanges; and they shall be so stiffened laterally that no unsupported length shall ever exceed fifteen (15) times the width of flange.

Web plates.

Web plates in railway bridges shall not be less than three-eighths (⅜) inch thick and must be arranged so as not to project beyond the face of the flange, nor be more than one-sixteenth (1-16) inch below the face of the angle at any point.

Proportioning of girders.

Girders shall be proportioned so that the bending or chord stresses are resisted by the upper and lower flanges, and the shearing or web stresses are resisted by the web plate.

One eighth (1/8) of the area of web plate shall be estimated as flange area; at web splices the full area of section will be required either by extending the flange plate, or by extra splice plates as before specified.

Web to be estimated in flange area.

When the unsupported distance between the flange angles exceeds fifty (50) times the thickness of the web, vertical stiffeners of angles shall be placed on each side of the web.

Stiffeners.

Stiffeners in girders over four (4) feet in depth, are to be placed at a distance apart centre to centre, not exceeding the depth of the full web plate. In girders under four (4) feet in depth they may be spaced four (4) feet apart.

Spacing of intermediate stiffeners.

If unequally spaced, the distance between them shall be greatest at the centre of the girder, decreasing gradually towards each end.

Stiffeners shall be placed at all points of concentrated loading.

Intermediate stiffeners shall be of the following dimensions:—

For webs 3 feet and under, 3 x 2½ x ⅜ inch angles.

For webs 4 feet and under, 3 x 3 x ⅜ inch angles.

For webs 5 feet and under, 3½ x 3½ x ⅜ inch angles.

For webs 6 feet and under, 3 x 4 x ⅜ inch angles.

For webs 7 feet and under, 3½ x 5 x ⅜ inch angles.

Intermediate stiffeners may be on fillers, or crimped over the flange angle, except in floor beams, or stringers, when fillers shall be used.

Over the end bearings, at each end of the bed plates, there shall be two pairs of stiffeners upon fillers, the projecting legs of which shall be as wide as the flange angle will permit. These stiffeners, including fillers, shall be proportioned to resist the maximum shear as a column considered one-half of the depth of the girder in length. The rivet connection of the web shall be proportioned at unit stresses to transfer the total shear to the column.

End stiffeners.

End stiffeners shall be made to come to as close a fit under flanges as possible without buckling them.

Fillers under all stiffeners shall be the same thickness as the flange angles, and as wide as the leg of the stiffener next the web.

Fillers.

The rivet pitch in stiffeners shall never exceed five (5) inches.

Rivet pitch.

Decked plate girders shall be not less than eight (8) feet apart from centre to centre of girders; they shall have frame braces at the ends, and intermediate frames spaced not more than fifteen (15) widths of the top flange apart, connected to the girder stiffeners with gusset plates. These frames shall consist of four (4) angles—two at the top and two at the bottom—the gusset plates coming between the two angles and riveted to them, and the girder stiffeners; two (2) diagonal angles—one at each corner, and riveted to the gussets, will complete each frame.

Decked plate girders.

These frames shall be proportioned to carry all the stresses coming at the points of connection, and the end frames to take all the stresses accumulating at the ends.

Plate girders of forty (40) feet span and over, shall have lateral bracing on the bottom chord as well as on the top.

Lateral bracing. Lateral bracing shall extend from end to end, and no brace shall make a less angle than thirty (30) degrees with the girders, excepting end braces of skew spans. Laterals shall consist of angles, and shall be connected to the girder flanges with suitable gusset plates.

Skew bridges. The ends of deck plate girders shall be square to the track at abutments unless a ballast floor is used.

Through plate girders. In through plate girder spans the track shall be carried on steel floor beams, spaced not exceeding fifteen (15) widths of the top flange apart, and connected together by stringers.

Sway bracing. The sway bracing shall be a triangular gusset plate running from the top flange of the girder to each floor beam, or transverse strut, and at the ends.

Solid floors. Through plate girders with solid floors shall have gusset plates every twelve (12) widths of the top flange apart.

Through girders with shelf angle. In spans where the base of the rail is sufficiently near the top flange so that the clearance will allow the girder to be spaced not over fourteen (14) feet, centre to centre, the cross ties may be supported on shelf angles riveted to the web, when permitted. These shelf angles shall not be less than five (5) inches x three and one-half (3½) inches x three-quarter (¾) inches riveted to the web by seven-eighth (⅞) inch rivets pitched not more than four (4) inches centre to centre.

There shall be distributing angles 3 inches by 4 inches, resting on the bottom flange angle and riveted to the web under the shelf angle about three (3) feet apart.

Sway bracing. With this type of floor, the top flanges of the girders shall be stayed laterally by gusset plates extending the full depth of the girder and connected by cross struts of solid web and angles as deep as possible, and in any case shall not be less than fifteen (15) inches deep, and spaced not over twelve (12) feet apart.

Clearance. For the clearance of through plate girders, see diagram at the end of these specifications.

Rivet spacing. The rivet spacing in top flanges of deck girders shall not exceed four (4) inches.

Flange rivets. No rivet holes shall be pitched nearer than one and one-quarter (1¼) inches to a roll finished or machined edge of a web plate.

The minimum pitch of rivets shall be three (3) times their diameter from centre to centre.

Shear and bearing on rivets.

When calculating the shearing and bearing stresses on rivets connecting the web to the flanges, the total shear acting on the outside of any section at any point is to be considered as transferred to the flange angle in a distance equal to the depth of girder at that point and in addition to any load applied directly on the flange, such as the wheel loads, when the ties rest on the flanges, shall be assumed to be distributed over three (3) ties.

End finish.

Through plate girders will be finished at the ends with a plate of the width of cover plate riveted to the end stiffeners, and a corner cover at the top riveted to the top and end plates, or they may have rounded corners if directed.

Bearings.

Girders up to eighty (80) feet must be provided with planed sliding bearing plates, each plate at least seven-eighths (⅞) inch thick, two (2) to each bearing, one (1) riveted to the bottom flange of the girder, the other resting upon a piece of sheet lead one-quarter (¼) inch thick laid upon the masonry and of the same size as the plate. The faces of the two plates coming together shall be planed. Each plate shall be drilled for two (2) anchor bolts at least one and one-eighth (1⅛) inch diameter, and the holes in the plates at one end of each girder shall be slotted for expansion and contraction. The plates shall project one (1) inch beyond the second pair of stiffeners, and shall be at least six (6) inches from the edge of the masonry, and must be of sufficient area so as not to exceed the specified pressure on the masonry or concrete seat.

All bed plates shall be fox-bolted into the masonry at least twelve (12) inches, with anchor bolts of at least one and one-eighth (1⅛) inch diameter.

Girders eighty feet and over in span must be provided with rollers at one end which shall not be less than five (5) inches in diameter.

Angles for ties.

Cross ties, resting on shelf angles in low through plate girders shall be at least eight (8) inches wide by fifteen (15) inches deep, spaced twelve (12) inches centre to centre, or of such depth that the specified weight of the locomotive driving wheels, distributed over three (3) ties, will not exceed the fibre stress specified.

STRINGERS AND FLOOR BEAMS.

Stringers, distance apart.

Stringers shall be placed, in general, eight (8) feet centre to centre. When there are four lines of stringers, the outside line shall be proportioned to sustain one-half (½) the load on the interior main stringers. In double track bridges the stringers shall be six (6) feet six (6) inches apart.

Track stringers of skew bridges shall be square to the track at the abutment.

End angles and rivets.

The end angles of stringers shall not be less than one-half (½) inch thick; the connecting rivets to the web shall be proportioned to resist the bending introduced by their distance from the centre line of the flooor beam, in addition to the direct shearing stress. Shelf angles or other supports provided to carry the stringer during erection shall not be considered as taking any of the reaction.

Holes to be reamed to template.

All the holes for field rivets in stringers and floor beam connections shall be punched three-sixteenths (3-16) inch smaller than the finished diameter and reamed to an iron template.

Lateral bracing.

Stringers shall be braced laterally when their unsupported length exceeds eighteen times the width of flange. The bracing to consist of diagonal angles at the top flange; brace frames in panels of thirty (30) feet and over.

Rivet pitch.

The rivet pitch through the web in top flanges of stringers shall not exceed four (4) inches.

Floor beam connection to posts.

Floor beams in bridges with pin-connected chord, shall be riveted to the posts above or below the pins of the bottom chord in through bridges, and in deck bridges, preferably, below the top chord; they shall be square to the trusses or girders.

End floor beams.

All spans shall have end floor beams to support the stringers.

Web plates and flange angles.

Web plates of floor beams and stringers shall not be less than three-eighths (⅜) inch thick, and with the flange angles, shall run the full length without splicing.

Stringer on top of floor beams.

Stringers, when resting on the top of floor beams, shall be riveted to the floor beams with knee braces to support both ends of each line of stringers. On the masonry, they shall have cross struts, and be stayed to the main shoes of the girders or trusses.

Hangers for beams.

In case hangers be allowed, they shall be either solid forged eye bars riveted to the floor beams, or riveted plate hangers. No stirrup, or bent hangers will be permitted.

Eye bar hangers shall have sufficient excess of material across the eye, all rivet holes in them shall be drilled, and the edges of the whole chamfered for a filler under the riveting. All riveted hangers shall have excess sections at the pin holes.

OPEN WEBBED RIVETED GIRDER SPANS.

These shall be of the Warren or triangular type with verticals dividing the panels of the top chords.

Deck and half through spans and splicing.

All open webbed riveted girders for both deck and half through bridges shall whenever possible, be riveted up completely in the shops, as field riveting will only be allowed for the lateral bracing. When splicing is unavoidable, on account of the length of the span and difficulty of shipment, the number of splices shall be reduced to a minimum, and shall only be at such points as shall be approved by the engineer. No two splices in a girder shall be made opposite to one another, i.e., that in the top chord shall not be opposite to that in the bottom chord.

All splicing plates and rivets shall have a net section of at least twenty-five (25) per cent greater than that of the section spliced, and shall be machine riveted whenever possible.

Through spans.

In through girders, the connection of main girders will be made by field rivets. In such cases all the truss members will be assembled in the shop, after which the rivet holes for the connection shall be reamed to ensure perfect fitting in the field. The same shall apply to deck and half through girders which have to be spliced.

Shallow girders.

The use of shallow open web riveted girders shall be avoided whenever possible. In case of their being required, as for instance in elevated railways occupying city streets, they are to be provided with short substantial web plates at the ends, and all intermediate points where connections are made to other girders.

Web members.

In proportioning the web members of such girders the specified intensities of working stresses are to be reduced from ten (10) per cent. for 6 x 3½ inch angles to twenty-five (25) per cent. for equal legged angles, with proportionate amounts for angles of intermediate inequality of legs, so as to compensate for the secondary stresses due to the eccentric grip of the rivets. In no case will flats be allowed in the place of angles. Angles composing a web member on one side of the chords shall be laced to those on the other side.

How attached to chords.

At all intersections of web members with chords, connecting plates shall be used, and no web members shall be attached directly to the chords. When two (2) angles compose a portion of a web member to be attached to the connecting plate, the legs of each angle not bearing against the plate shall be riveted together; and in the case of the member being composed of only one angle, the leg at right angles to the connecting plate shall be riveted to a short piece of angle the length of the connecting plate and attached to it. Unless this is done only one leg of the angle can be counted as efficient.

Intersections of gravity line to be strictly adhered to.

The exact intersection at a point of all gravity lines of girder members assembling at any apex must be strictly adhered to in the designing of all open-webbed riveted girders.

Joints.

In designing all riveted connections the greatest care is to be taken to make connection plates and groups of rivets balance about the centre line of stress, especially where passing from riveted work to pin-connected as in the case of a riveted span with hinged ends at pedestal. In all other respects, the designing of open-webbed riveted work is to comply whenever practical and proper, with the specifications for plate girder work and pin-connected spans.

Chords.

The top chords shall consist of two (2) built or rolled channels with a top plate, and laced on the under side. The bottom chord shall consist of two (2) built or rolled channels laced top and bottom. Splice plates and rivets to conform to the conditions as laid down for the splicing of plate girders and pin-connected spans.

LONG RIVETED AND PIN-CONNECTED SPANS.

Top chord and end posts.

The section of the top chord and inclined end posts of through spans shall consist generally of two built channels and a cover plate, each channel being composed of a web and two angles, the upper one small and the lower one much larger, so as to bring the centre of gravity of the entire box section of the member as close as possible to the mid plane of the web plate. In no case will more than one cover plate be allowed, as this is to be made as thin as is proper. It is permissible to substitute rolled channels for the built ones; but when this is done it may be necessary to rivet a thick, narrow plate to the under side of each channel to keep the centre line of stress coincident with the gravity axis of the piece.

Posts.

Main vertical posts shall, generally, be composed of two laced channels, preferably rolled ones, although built ones may be used where large sections are required. Secondary vertical posts may be built of two rolled channels laced, or of four angles in the form of an I with a single line of lacing. These secondary vertical posts shall preferably be riveted to the top chord in pin-connected spans, instead of being pin-connected like the main vertical posts.

Diaphragm between post channels.

Vertical posts, made up of two (2) channels, the pins passing through the webs, the flanges being turned inward, shall have the end re-action of the floor beams transferred to both segments by a diaphragm or side plate. When diaphragms are used tie plates will be required at each end of the diaphragm, their length to be not less than the width of the member.

Bending in posts.

Due allowance must be made for the bending in posts induced by the portal bracing and sway struts and rods.

When the flanges of posts or struts are cut to clear eye bars, the posts cut must be reinforced either by a diaphragm, or plates extending at least six (6) inches beyond the cut, or within the tie plate to develop the full strength of the member. Such cuts shall be avoided whenever possible.

Stiff bottom chords and inclined web struts.

Stiff bottom chords and inclined web struts may be made of either two channels with two lines of lacing, or of four angles with one line of lacing.

Laterals, etc.

Upper lateral struts, overhead transverse struts, and web-stiffening struts, shall, preferably, be made of four angles with one line of lacing. Top lateral struts shall be the full depth of the chord and shall be securely riveted thereto. The attachment of the lateral system to chords must be entirely efficient; if connected above or below the main chords, the posts must be proportioned to resist the bending induced by the horizontal component of the lateral. Lateral, longitudinal and transverse bracing must resist both compression and tension.

Lateral diagonals.

Diagonals for upper lateral systems and vertical sway bracing shall, preferably, be built of four angles in the form of an I with a single line of lacing; but for structures where this section would involve an extravagant use of metal, two of the angles, one at the top and one at the bottom, may be omitted, thus making each strut consist of two angles laced, provided that where the struts cross they shall be rigidly connected by two plates of ample size. This unbalanced section for such diagonals is to be avoided whenever it can be done without undue use of metal. In no case will it be permissible to use angles in tension that are not capable of resisting properly the possible compressive stresses, with due regard for the specified limits of ratio of unsupported length due to least radius of gyration.

Knee and portal bracing.

Knee braces will be used at the portals and at each panel point, and shall be designed to form rigid and efficient connection between top lateral struts and the posts. When there is sufficient head room substruts and sway frames will be provided. Portals will be as deep as the head room will permit and will consist of struts latticed with angles, rigidly connected to the end posts and top chords.

Bracing of deck bridges.

In deck bridges transverse bracing will be provided at each panel; the transverse bracing at the ends shall be of the same equivalent strength as the end top lateral bracing. The bracing must in all cases clear the ties. The minimum sized angle in lateral bracing will be 3½ inches x 3 inches x ⅜ inches. Not less than four (4) rivets through the ends of the angles shall be used at these connections.

In order to carry the thrust of trains from the stringers to the posts through the lower lateral diagonals, the latter and the stringers are to be made to form complete horizontal trusses by running angles between the stringers at the level of the bottom flanges. In single track bridges two (2) pieces per panel running transversely between stringers at the intersection of the latter with the diagonals will suffice; but in double track bridges there will be required two (2) such angles per panel between inner stringers and four (4) diagonal angles per panel run from where the lateral diagonals intersect the outer stringers to where the inner stringers meet the cross girders.

Shapes and plates to be full length.

All plates, angles and channels used in built members of trusses must, if practicable, be ordered the full length of the member; otherwise the splices must develop the full strength of the member, without any reliance being placed on the abutting ends, for carrying compression.

The unsupported width of any plate, subjected to compression, shall never exceed thirty (30) times its thickness, excepting cover plates of top chords and end posts, when it may be forty (40) times its thickness.

Joints.

Sections of top chords shall be connected at abutting ends by side plates, having at least six (6) rivets in each plate on each side of the joint.

Joints in riveted work, whether in tension or compression must be fully spliced, the abutting ends shall be dressed straight and true.

The sections of compression chords will be connected at the abutting ends by splices sufficiently strong to hold them in true position. Abutting ends must be brought into close contact when fitted with splice plates, and the rivet holes reamed in position before leaving the works, all pieces being match-marked for erection. The ends of all members which make contact joints shall be planed smooth to exact angle with the axis of members.

When the ties rest directly on the chords the splices shall make good the section required for bending, the side splices being proportioned to take up the maximum shear (the chord being considered as a simple beam) at end of panel, and the top and bottom splices each to take the maximum bending stress at any point of panel.

Open sides of compression members. The open sides of all compression members composed of rolled or built channels, with or without cover plate, shall be stayed by tie plates at ends, and by diagonal lacing bars or angles at intermediate points. Lacing bars may be connected to the flanges by either one or two rivets at each end; but lacing angles, which are used for members of heavy section only, must be connected by two rivets at each end. In compression chord sections the material must be well concentrated at the side.

Counters. Rigid counters will be preferred; when subject to reversal stresses they shall be riveted to the chord; adjustable counters shall have turnbuckles.

Hip hangers. In through trusses the end posts must be battered, and vertical suspenders or hip verticals shall be stiff members and stand vertical.

Stiff members at bottom chord ends. Spans with bottom chords of eye bars shall have stiff members in the two end panels at each end of the span. Long intersecting members in tension shall be clamped together to prevent rattling.

Tie plates. Tie plates shall be placed as close as practicable to the ends of compression members. Their thickness shall not be less than one-fiftieth (1-50) of the distance between the centre lines of the rivets by which they are connected to the flanges, unless the said tie plates are well stiffened by angles, in which case, they may be made as thin as three-eighths (⅜) inch; their length shall not be less than the distance between the lines of rivets connecting them to the flanges of the member; at intermediate points, the length shall not be less than half that distance.

Lacing bars and rivets. Single lacing bars shall have a thickness of not less than one-fortieth (1-40) of their unsupported length. The distance between connections of the lacing bars shall be such that the individual members composing the column, considered with pin ends and a length equal to the distance between these connections, shall be stronger than the column as a whole; in no case shall the distance exceed eight (8) times the least width of the member, and shall not be less than the following dimensions:—

Depth of	section	6	inches,	width of	lacing bar	1¾	inches	x ⅜	inch thick.
"	"	8	"	"	"	2	"	x ⅜	"
"	"	10	"	"	"	2¼	"	x ⅜	"
"	"	12	"	"	"	2¼	"	x ⅜	"
"	"	14	"	"	"	2½	"	x ½	"
"	"	16	"	"	"	5	Angles of equivalent strength may be used.		
"	"	18	"	"	"	5			
"	"	20	"	"	"	5			

Size of rivets.

For flanges less than 2½ inches wide use ⅝ inch rivets.
" " 2½ inches to 3½ inches wide use ¾ inch rivets.
" 3½ inches and over use ⅞ inch rivets.
For flanges over five (5) inches in width two (2) rivets shall be used at each end.

Angle of lacing. The bars when single riveted shall make an angle of sixty (60) degrees with the axis of the member, and the same angle with each other, and when double laced, an angle of forty-five (45) degrees.

Lacing of lateral struts. Top lateral struts, or other members composed of four (4) angles, shall have intersecting lattice bars not less than 2¼ inches x 5-16 inch, which are to be riveted at their intersection when the depth of members is fifteen (15) inches or over. Lacing between lateral struts shall be generally of angles.

Pin plates. Pin plates shall be used at all pin holes in built members for the double purpose of reinforcing for the metal cut away and reducing the intensity of pressure on the pin and bearing to or below the specified limit. They shall be of such size as to distribute properly, through the rivets, the pressure carried by such plates, to both flanges and web of each segment of the member; and they shall extend at least six (6) inches within the tie plates of said member, so as to provide for not less than two (2) transverse rows of rivets there. Whenever it is necessary to reinforce metal about pin holes or joints, the reinforced plates shall lap over the flange angle of the member at hips or shoes.

Net area about pin holes. Care must be taken in design of riveted tension members; those with pin hole connections shall have, in net area of section, through the pin hole, an excess of strength of twenty-five (25) per cent. over the net area of the member, and the net area back of pin hole must be equal to the net area of the member.

Forked compression members. When the pin ends of compression members are cut away into jaw-plates or forked ends for the purpose of packing closely the various members connected by the pin, these jaw-plates or post extensions shall be considered as columns and must equal in strength that of the body of the member.

Web and pin plates. In intermediate posts both web and pin plates shall extend beyond the pin hole, a length at least equal to the diameter of the pin hole.

Rivets. In members the rivets shall be symmetrically arranged from the centre line, eccentricity of stress shall be avoided in all riveted connections.

Eye bars upset. Eye bars shall be upset on the solid bar or rolled without welding, by mills having an established reputation for the manufacture of eye bar steel. No work on the bars shall be done at a blue heat, and all bars must be thoroughly annealed after forging. The heads of eye bars shall be so proportioned that the bar will break in the body instead of the eye; they shall be clear forgings, free from flaws, and of full thickness in the necks, and shall be perfectly straight before boring. The hole shall be in the centre of the head, and in the centre line of the bar.

Boring eye bars. Bars, which are contiguous, or belonging to one parcel of the structure, shall be bored at one setting of the drills at the same temperature; they shall be of such equal length between pin holes that when they are piled upon one another the pins will pass through the holes, at both ends, without driving.

Variation of length. In pieces not adjustable for length, no variation in length of more than one-sixty-fourth (1-64) inch for every ten (10) feet will be permitted, nor more than one-thirty-second (1-32) inch for their entire length between centres of pin holes.

Packing of bars, etc. Lower chords are to be packed as closely as possible and in such a manner as to produce the least bending moments on the pins; but adjacent eye bars in the same panel must never have less than a half (½) inch space between them, in order to facilitate painting. The various members attached to any pin must be packed as closely as practicable, and all interior vacant spaces must be filled with steel fillers, where their omission would permit of motion of any member on the pin. All bars are to lie in planes as nearly as possible parallel to the central truss planes, no divergence exceeding one (1) inch in sixteen (16) feet being permitted.

Bars with loop-eyes, etc. All bars having loop-eyes when tested to destruction shall break in the body of the bar and shall not fail at the welds. Rods with bent eyes shall not be used. In loop-eyes, the distance from the inner point of the loop to the centre of the pin hole must not be less than two and one-half (2½) times the diameter of the pin, and the loop must fit closely to the pin throughout its entire semi-circumference.

Pins. Pins are to be proportioned to resist the greatest shearing and bending produced in them by the bars or struts which they connect. No pin shall have a diameter less than eight-tenths (8-10) the depth of the deepest eye bar coupled thereon. No truss pin shall have a diameter less than three and one-half (3½) inches, and no lateral pin, if any be used, a diameter less than two and one-half (2½) inches.

Fit. Pins shall be turned straight and smooth to gauge, and shall fit the pin holes within one-fiftieth (1-50) inch for pins under five (5) inches in diameter, and within one-thirty-second (1-32) inch for lateral pins, and pins over five (5) inches in diameter. They shall be turned to a smaller diameter at the ends, and driven in with a pilot nut. There will be a washer for adjustment under at least one nut unless recessed nuts are used.

Pin centres. Pin centres shall be in the centre of gravity of the members, less the eccentricity required to provide for their own weight, and in continuous chords, pin centres shall be in the same plane.

Pin holes. Pin holes must be bored truly parallel to each other and perfectly square with the member. They shall be bored with a sharp tool, and a finishing cut shall always be taken. The finished pin hole shall be perfectly smooth.

Riveted bridges of long span. The top chords and end posts will be designed similar to those for pin connected trusses; the bottom chords shall be made up of two rolled or built channels laced together top and bottom; web members shall be built of rolled sections laced together and having tie plates at each end. The jaws of the member shall fit over the chord connection plates and shall be riveted to them and not to the chords. All details shall conform to those for pin-connected bridges, riveted open webbed girders, and plate girders whichever shall properly apply.

Shoes, bed plates, etc.

There shall be provided pier boxes, or plates of approved form, under pedestal shoes at both ends, of sufficient depth to distribute the weight properly on the masonry. These plates or boxes shall have a minimum thickness of seven-eighths (⅞) inch for trusses, and must have planed surfaces, and be of such dimensions that the greatest pressure per square inch on the masonry shall not exceed that specified. Sheet lead, not less than one-quarter (¼) inch, shall be placed between the plates and all bearings on masonry, when directed by the Engineer.

Continuous plate.

When two spans rest upon the same pier, if specified, a continuous plate of not less than three-quarters (¾) inch thick will extend under the two adjacent bearings.

Bed plates to be anchored to masonry.

Bed plates and bearings must be fox-bolted to the masonry, the fixed ends to be held rigidly, and the sliding ends, while free to move longitudinally, must be fixed against lifting or sliding.

Rollers.

All bridges, over eighty feet span, shall have, preferably, hinged bolsters at both ends and a nest of turned rollers at one end bearing upon planed surfaces; they shall be protected against the entrance of dirt, but in such a manner as not to retain water. Their motion should be guided in an efficient manner, and they shall be coupled together with substantial side bars so arranged that the rollers can be readily cleaned. Rollers shall not be less than five (5) inches diameter and proportioned so that the pressure shall not exceed the roller unit stress specified, and shall be turned to a true surface throughout. Pedestals shall be either of cast steel or built up of plates and shapes. In built pedestals all bearing surfaces of the base plates, and vertical bearing plates shall be planed. The vertical plates must be secured to the base by angles having at least two (2) rows of rivets in the vertical legs; and the said vertical plates shall bear properly from end to end upon the base. No vertical plate, or connecting angle shall be less in thickness than three-quarters (¾) of an inch, and the base plates shall be of a thickness previously specified. The vertical plates shall be of sufficient height, and must contain enough metal and rivets to distribute properly the loads over the bearings and rollers. The bases of all cast steel pedestals shall be planed so as to bear properly on the masonry or rollers. All pedestals, whether of cast steel or built, must have one or more diaphragms between webs, carried up as high as the general detailing will permit, so as to transmit transverse horizontal thrust to the base without overstraining the webs by bending in their weakest direction.

Bolt heads and nuts.

Bolts will have hexagonal heads and nuts. Round headed bolts shall not be used. Wrought iron or steel washers must be used when the heads or nuts of bolts bear upon wood. Bolts shall not be used in place of rivets except by special permission. When members are connected by bolts that transmit shearing stress the holes must be reamed or drilled from the solid, and the bolts machine fitted to fill the holes with a driving fit. A washer not less than one-quarter (¼) inch thick shall be used under the nuts.

Anchor bolts. The ends of all bridges shall be anchored to the masonry by fox-bolts, which shall not be less than one and one-quarter (1¼) inch diameter for trusses, and enter the masonry at least twelve (12) inches, and placed not nearer than six (6) inches from the face of the masonry under the coping. Anchor bolts for viaduct towers and similar structures shall be long enough to engage a mass of masonry the weight of which is at least one and one-half (1½) times the estimated tensile stress upon the anchor. The Contractor shall furnish all bolts, drill all holes, and set the bolts with sulphur or cement.

RIVETING AND REAMING.

Diameter. Rivets will generally be three-quarters (¾) or seven-eighths (⅞) inch diameter before upsetting. The diameter of the rivet in any angle under stress shall not exceed one-quarter (¼) the width of the leg in which it is driven. In minor parts seven-eighths (⅞) rivets may be used in 3 inch angles, and three-quarter (¾) inch rivets in 2½ inch angles.

Rivets to be power driven. Whenever practicable, rivets shall be power driven with direct acting machinery.

Heads. Rivets must have hemispherical heads, be neatly cupped, concentric with the shank of the rivet, of a height not less than 0.6 diameter of the rivet, and all heads must be in full contact with the surface of the metal in which the rivets are driven.

Holes to be filled. Rivets must completely fill the holes; no loose or badly formed rivets, caulking, or recupping, will be permitted.

No drifting. Rivet holes must be accurately laid off before punching. When the pieces forming a member are bolted up, the holes must match accurately so that the cold rivets can be inserted without drifting. No drifting will be allowed under any circumstances.

Rivet pitch. The pitch of rivets shall not be less than three (3) inches for seven-eighths (⅞) inch rivets, nor more than six (6) inches in the line of stress in members composed of plates and shapes; that for three-quarter (¾) inch rivets, not less than two and one-half (2½) inches, nor more than five (5) inches in the line of stress. Where two or more plates are applied in contact, rivets not more than twelve (12) inches apart in either direction shall be used to hold the plates closely together. In tension members, composed of two angles in contact, a pitch of twelve (12) inches will be allowed for riveting the angles together.

Rivets for compression members. The pitch of rivets, at the end of compression members, shall not exceed four (4) diameters of rivets, for a distance equal to twice the depth of the member, and in flanges of girders and chords carrying the floor, the pitch shall not exceed four (4) inches. The distance between centres of rivets for plates under compressive stress shall not exceed sixteen (16)) times the thickness of plate in line of stress, nor forty (40) times the thickness at right angles to said line.

The centre of a rivet shall not be nearer a sheared edge of metal than one and one-half (1½) inch for seven-eighth (⅞) inch rivets, and one and one-quarter (1¼) inch for three-quarter (¾) inch rivets, and to a rolled edge one and one-quarter (1¼) and one and one-eighth (1⅛) inch respectively. The maximum distance shall be eight (8) times the thickness of the plate, but shall not exceed six (6) inches. Edge distance.

Rivet holes in tension shall be estimated at one-eighth (⅛) inch larger than the diameter of the rivets before driving, and rivets shall be proportioned to this diameter. Net section of rivets.

The dies shall not exceed the diameter of the punch by more than one-sixteenth (1-16) inch. Dies.

Counter sinking must be neatly done, all holes must be of the same size, and counter sunk rivets must completely fill the holes. Counter sinking.

Field riveting shall be reduced to a minimum, and such rivets shall not have a greater diameter than seven-eighths (⅞) inch. Rivets shall not be used in direct tension, but in any special case where the engineer should permit this use, they shall be estimated at two-thirds (⅔) of the unit stress. Field rivets.

The holes for field rivets shall be reamed, or drilled from the solid, to an iron template, or they shall be punched one-eighth (⅛) inch smaller than the final size. The parts to be connected shall then be assembled at the shop, and the holes reamed to full dimensions. Field holes.

When it is impracticable to ream field connections temporarily assembled, they shall be reamed through iron templates of adequate thickness, and this shall apply to connections of floor beams and stringers. Templates.

In tension members all punched holes shall be reamed, after the parts are assembled, to a diameter not less than three-sixteenths (3-16) inch larger than the punch, and not more than one-sixteenth (1-16) larger than the rivet diameter, and the punched holes must match so that no less than one-sixteenth (1-16) inch is removed from the die side of all holes. Tension members.

In compression members all punched holes shall be reamed, after the parts are assembled, to a diameter not less than one-eighth (⅛) inch larger than that of the punch, and not more than one-sixteenth (1-16) inch larger than the diameter of the rivet. Compression members.

All holes shall be clean cut, free from torn or ragged edges; sharp edges and burrs shall be cut off with a finishing tool, making a fillet of about one-sixteenth (1-16) inch under each rivet head. All holes clean cut.

No tapered reamers shall be permitted, and no reamer shall be operated with a flexible shaft. No tapered reamers.

During reaming and drilling the assembled parts shall be firmly clamped or bolted at frequent intervals. Clamping.

Holes in steel of greater thickness than three-quarters (¾) inch, and in the flanges of rolled beams and channels used in bridge floors Drilled holes.

shall be drilled; those in the webs shall be drilled, or sub-punched and reamed.

Secondary parts.

Secondary parts, such as rivet holes in lattice bars, tie plates, stiff laterals and gussets, need not be reamed where soft or medium steel is used which will permit the drifting test without cracking the metal.

Bolt holes.

When members are connected by bolts which transmit shearing stress, the holes must be reamed or drilled from the solid.

DRAW BRIDGES.

General Description.

The specifications as given for fixed spans shall apply to draw spans, except where otherwise stated.

Materials.

Cast iron may be used, when specified, for the centre casting on pivot piers, for anchor pieces in the masonry, shafting boxes, rail chairs, and castings of minor importance. The use of high steel will not be permitted.

Types of bridges.

Plate girder spans may be used for lengths up to one hundred (100) feet. These may either be made as continuous girders over the pivot pier or may have pin connections over the drum, so that when the live load is applied they may act as separate spans.

For spans between one hundred (100) feet and one hundred and sixty (160) feet, riveted trusses of single intersection may be used.

For spans between one hundred and sixty (160) feet and two hundred and seventy-five (275) feet, Pratt trusses with parallel chords and stiff diagonals in the panels with reversion of stress.

For spans over two hundred and seventy-five (275) feet trusses with broken top chords and with long spans, sub-divided panels.

It is understood that these limiting lengths are not absolute as the best limits will vary somewhat with the number of tracks and the live loading.

Height of towers and trusses.

The height of towers may be generally one-sixth (1-6) to one-seventh (1-7) of the total length of span measured from centre to centre of end pins, but may in certain cases be made a little greater.

The truss depth at inner hip may be about one-ninth (1-9) to one-tenth (1-10) of the total length of span; that at the outer hips for spans up to four hundred (400) feet will generally be determined by the head room required; that for longer spans about one-fourteenth (1-14) to one-fifteenth (1-15) of the total span length. The length of the centre panel will, generally, be equal to the distance between central planes of trusses.

Spans having horizontal top chords, all panels of the latter shall be made of stiff members excepting only the centre panel over the pivot pier; and diagonals next the middle panel are to be tension members.

Broken top chords shall be of stiff members from the ends to the inner hips; but that between the inner hip shall be made of eye bars. Inclined posts from inner hips to the drum shall be used.

Loads.

The following loads are to be considered in calculating the stresses:— **Loading.**

(1) Dead load, or weight of structure, including the weight of track, etc., to be taken as for fixed spans.

(2) Live load, as previously specified for the different conditions.

(3) Impact load.

(4) Wind loading.

(5) End uplift, which shall be calculated as a proportion of the entire dead load carried by one arm.

Combinations of Stresses.

The following combinations shall be considered in ascertaining the stresses in swing bridges:— **Stresses.**

Case I. Maximum stress, dead load only acting, bridge swinging or open.

Case II. Maximum stresses, dead load only acting, bridge closed, ends raised, continuous girder over three (3) supports.

Case III. Maximum stress from live load, bridge considered as continuous over three (3) supports, live load coming on at one end and advancing panel by panel until the bridge is covered.

Case IV. Maximum stresses from live load, bridge considered as continuous, live load on one arm only, advancing from the centre pier to abutment.

Case V. Maximum stresses from live load, one arm considered as a single span, live load advancing from either end.

Maximum stresses shall be determined by combining Case I. or Case II. with Cases III. and IV., or Case I. with Case V., with impact in each case. **Maximum stresses.**

When considering Case I. alone, the stresses from the dead load, bridge open, will be increased one-third (1-3) for uplift, and used as the actual dead load. **Uplift.**

Top laterals of through bridges and bottom laterals of deck bridges. **Wind force.**

(1) Bridge swinging, static wind pressure only.

(2) Bridge closed, ends raised, static wind pressure only.

Bottom laterals of through bridges and top laterals of deck bridges.

(1) Bridge swinging, static wind pressure only.

(2) Bridge closed, ends raised, static wind pressure only.

(3) Bridge closed, live load on one arm only.

(4) Bridge closed, live load on both arms.

Combine (3) or (4) with (2) for maximum stresses.

Uniform live load.

The stresses may be calculated by an equivalent live load, for a span of the length of one arm, based upon the maximum moment.

Plate Girder Spans.

Details.

In general the Specifications for fixed Plate Girder Spans shall apply to draw bridges of plate girders, except where stated.

Types.

Plate girder draw spans may be of two types, as follows:—

(1) Continuous girders over pivot pins on centre pier.

(2) Non-continuous girders, in which the two arms take the live load separately, the girder forming an arm being connected to the other girder or arm by links which carry the dead load when the bridge is open.

Combination of stresses.

For type (1) the same combination of stresses will be used as required for truss spans.

For type (2) the loading will be as follows:

Case I. Dead load stresses, bridge open.

Case II. Dead load stresses, for each arm independently of the other.

Case III. Live load stresses for each arm independently of the other.

Cases II. and III. to be combined for maximum stresses, and effect of reversion of stresses to be provided for as specified for fixed spans.

In type (2) the wind load will act upon the connecting links while the bridge is being turned, the load being taken as two hundred (200) pounds per lineal foot of span; when closed, each arm is to be treated as a single fixed span.

Distance apart of girders.

The distance centre to centre of girders shall be, generally, that specified for fixed spans.

Girders to be stiffened over drums.

All girders shall be thoroughly stiffened at all points of bearing over pivot or drum, and the bearing plates between the drum and the girders shall not be less than one (1) inch thick.

Frames.

Rigid bracing frames shall be used at all points where the girders bear on the drum or pivot, when deck spans are used, and plate cross girders in the case of through spans; and the girders must be thoroughly braced together in pairs.

End lifts.

Suitable end lifts shall be provided for type (1); for type (2) the centre panel will be pin connected, the bottom chord pins resting in pedestals which furnish proper bearings on the drum; the tension in the top chord will be taken up by the eye bars which will serve as toggles for raising the ends of the span, which toggles will be worked by a screw at the centre of the span.

The compression in the bottom chord when the bridge is swinging shall be taken by struts hinged on the bottom chord pins.

The eye bars of the top chords shall have slotted eyes to enable the two arms to act as simple girders when the bridge is closed, and live load applied.

Shoes. The ends of the spans shall be provided with suitable shoes, grooved, for the sole plates on the girder ends to securely fit into when lowered in place, and the toggle must raise the ends sufficiently to clear the shoes when the bridge is to be opened.

Disconnecting track, etc. For type (2) the track, guard rails and stringers will be discontinued in the centre panel to enable the toggle to act freely.

Span to be assembled in shop. As these bridges require most accurate shop work, the whole shall be assembled in the shops before shipment, so the lifting machinery can be tested thoroughly.

TRUSS BRIDGES.

Details. The details of these shall comply, generally, with the specifications for fixed spans.

Top chords. The top chords shall be of rigid members, except for the centre panel where eye bars will be used between the inner hips and tower posts.

Bottom chords. The bottom chords shall be of rigid section all through, proper provision being made near the panel points at the feet of the tower posts for adjusting the heights of the truss ends.

Portal bracing. Rigid portal bracing shall be used between the inclined end posts at the hips, and shall be carried down as low as the head room will permit.

Tower bracing. The tower shall be solidly braced on all faces; the transverse planes to have stiff diagonals and horizontal struts of box or I sections, carried down as low as the head room will permit.

The faces on the plane of the trusses will be made of adjustable rods of sections sufficient to take any unequal vertical wind pressure when the span is open. The struts to be made of similar sections to those on the transverse faces, with plates at ends for attaching to tower posts and large enough to take the diagonal pins. The tower shall be braced horizontally in the plane of each strut with stiff diagonals to thoroughly ensure the proper shape of the tower.

Laterals. The upper laterals between the inner and outer hips shall be stiff diagonals capable of taking either tension or compression, and transverse struts of I section securely fastened to the upper and lower flanges of the top chord. Between the inner hips adustable rods will be used as diagonals, omitting those in the panel next the hips to enable the wind loads to travel to the pivot piers.

Transverse sway bracing Transverse sway bracing shall be of rigid members carried down as low as the head room will permit, the lower struts being secured to the truss posts on both flanges in long spans.

Turntable and drum. The turntable shall be of a design to be approved by the Engineer, and proportioned as specified for plate girders. The load of the trusses will be transmitted at eight or more points.

The bottom flange shall have sufficient metal in excess to allow for planing. No material less than one-half (½) inch thick will be allowed in the drum. The drum shall be perfectly round and planed true on its under side to receive the wheel treads and shall be thoroughly stiffened with angles at all points of concentrated loading.

Web. The web shall be of sufficient thickness to give the rivets supporting the lower flange angles enough bearing to transmit the load from one wheel to the web, for a distance equal to three-quarters (¾) its diameter.

Treads. The upper treads shall be of steel, planed and finished all over to the exact dimensions, so as to fit closely to the drum, rollers, and at segment joints; they shall be riveted to the circular girder by seven-eighth (⅞) inch rivets, countersunk, and not more than eight (8) inches pitch. The lower tread, segment, face and ends shall be planed and fastened to the pivot pier by bolts, not less than one (1) inch diameter, and fifteen (15) inches long.

Rollers. The rollers shall preferably be made of cast steel. These, and the surfaces of the upper and lower treads, shall be turned to form parts of conical surfaces with a common vertex at the centre of the turntable.

Centre pin. When a proportion of the load, or the entire load, is supported upon centre pin, as in the case of small spans, there will be three discs, the upper and lower of hard steel, the middle one of phosphor bronze.

Centre casting. The centre casting must possess excess of strength, and be secured to the masonry by bolts not less than two (2) feet long, and if desired, it will be let into the masonry.

Brackets. The brackets, supporting the pinions which gear in the rack, shall be built of sections of rolled steel.

Oil holes. Oil holes and grooves will be provided for all bearings, which must be entirely free from dirt when erected and shall have boxes provided.

Rack segments. The rack segments shall be cast in short lengths, the ends planed, and the bearing, of both rack and lower tread, shall be planed.

Racks and gears. Cast racks and gears shall have the pitch lines of teeth exactly in the same plane. Gears shall be true to bevel, truly circular, and bored at right angles to the plane of action, to accurately fit the shaft. The teeth in racks and gears will be machine cut, when specified, to the exact pitch and shall in all cases mesh accurately. The hubs of gears shall be faced. Gear and rack teeth shall be proportioned according to the table at the end of these specifications. Gear wheels shall be of cast steel with machine cut teeth, when specified. Pinions with cast teeth shall be shrouded on top.

The shafting shall be of cold rolled steel with sufficient coupling collars and keys; no shaft shall be less than two and one-half (2½) inches in diameter. **Shafting.**

Effective end lifts of an improved design shall be provided; they shall give the necessary reaction, in the shortest possible time to prevent the ends of the bridge being raised by a load on the opposite arm. **End lifts.**

Strong latches shall be provided at the end of each span, and these shall close automatically and be easily released. Latch catches will be provided to secure the bridge when open. **Latches.**

The power machinery shall be so arranged that the bridge may be completely turned round in either direction. Two rack pinions shall be provided, unless otherwise specified. Machinery for hand power shall be provided, with two speeds, in all cases when other power is used. **Turning machinery.**

Suitable rail lifts, in connection with the end lifts, and guide chairs shall be provided, which shall secure the rails from displacement. **Rail lifts.**

All parts of the machinery shall be accessible for inspection and renewal and must be finished in accordance with the best machine shop practice, and fitted up with the greatest care. **Machinery.**

The top of the pier must be drained by means of weep holes, or channels, underneath the lower tread and rack; and all spaces in castings should be filled with cement or other suitable waterproof material. **Draining and filling.**

STEEL TRESTLES AND VIADUCTS.

In order to get as near a constant depth of girder all through the trestle, the spans of the towers and open parts shall be proportioned as far as possible to obtain this depth, and thus avoid objectionable connections. **Span of towers and girder depth.**

The columns shall be constructed of either of the following sections, whichever may be most suitable to the conditions:— **Columns.**

(1) Two channels laced together with flanges turned in or out.

(2) Two channels with I beam web between.

(3) Four Z bars with web plate.

(4) Four Z bars with a single line of lacing inside and occasional stay plates outside.

(5) Four angles with a single line of lacing inside.

The two columns forming a bent, shall not be less than eight (8) feet apart at the top and shall be braced transversely at proper distances from the top to the foot of the column by struts and diagonals. Likewise, two bents braced longitudinally at these points, with struts and diagonals, shall form a tower.

The struts shall be made up of either two channels laced top and bottom and connected to the column flanges by gusset plates of sufficient size to take the diagonals meeting at that point, or of four angles with **Struts.**

a single line of lacing and tie plates at ends, and connected to the columns by gussets as above. The bottom struts shall be of sufficient strength to slide the moveable shoes at the column bases when the track is unloaded.

Tractive force. Longitudinal bracing shall be made to resist the tractive force of the engine or the momentum of the maximum live load suddenly brought to a stop over that portion of the trestle, the same to be proportioned at the specified unit stresses.

Diagonals. The diagonals for both transverse and longitudinal bracing shall be made up of stiff members, and not of adjustable rods, securely riveted to the gussets.

Column base plates. The base plates at the feet of the column shall be securely fastened to them by means of vertical plates and connecting angles. No vertical plate or angle shall have a less thickness than three-quarter (¾) inch. The vertical plates shall extend far enough up the column, and must have sufficient metal and rivets to properly distribute the loads from the column to the base plate. Diaphragms between the vertical plates shall be used if necessary, and securely riveted to the vertical plates with angles. Base plates shall be at least seven-eighths (⅞) inch thick and planed true on their bearing surfaces, and shall be securely anchored to the masonry by two bolts at each base, of such diameter as to resist the tension in the columns and long enough to take a mass of masonry at least one and one-half (1½) times the tension in the bolts. The under base plate shall have a piece of sheet lead the area of the plate and one-quarter (¼) inch thick between it and the masonry. The masonry bases shall have sufficient area in them to resist any possible settlement of foundations. In computing this, not only the direct dead and live loads, but the additional unequal intensities of loading caused by longitudinal and transverse thrusts must be considered.

Splices in columns. The splices in columns shall be generally about two (2) feet above the points where the bracing connects. The joints shall be planed to ensure an even bearing, and shall be butt joints throughout. The splice plates shall be of sufficient size to secure the full strength of the column as previously specified in joints for plate girders, etc. Shingle splicing should be avoided.

Batter. Where possible the bents shall have a batter sufficient to prevent any tension in the windward leg due to the wind, and centrifugal force, if any, combined with the vertical forces. When not practicable the anchor bolts must be made of sufficient strength, and shall be placed long enough in the masonry to take care of this, as specified above.

Proportioning of bracing and posts. The bracing and columns of the bents shall be proportioned to resist a force of four hundred (400) pounds per lineal foot of structure, applied seven (7) feet above the base of rail; also for a force of thirty (30) pounds per square foot of the area of structure loaded, or fifty (50) pounds per square foot of the structure unloaded, whichever produces the greatest stress; also a force of two hundred and twenty-five (225) pounds per foot of height, structure loaded, and three hundred and seventy-five (375) pounds per foot of height, structure unloaded. These heights shall be from cap or base plate to centre of intermediate struts.

Girders. The spans shall generally be plate girders or occasionally for long spans, open webbed riveted girders, or pin-connected trusses.

Cross frames. Cross frames shall be used at the end of each pair of girders and shall not be common to two adjacent spans; also intermediate frames shall be used as for plate girder spans.

Expansion joints. The girders shall be riveted to the tops of the columns, suitable brackets for bearing being fixed thereto. The free girders shall have an expansion joint at one end, and shall be secured against displacement sideways by substantial guides. The girders shall conform to the requirements as specified for plate and riveted girder spans.

PAINTING.

Metal to be cleaned. All metal surfaces shall be thoroughly scraped and cleaned of rust. scales, or dust and dirt, either with a sand blast, steel scrapers, or stiff wire brushes, and finally dusted off with a bristle brush.

Mixture of paint. Unless otherwise specified the shop priming coat shall be pure red lead and lamp black. mixed with pure raw linseed oil. It shall not be thinned with turpentine. benzine, or other liquids, and no dryer shall be used. The red lead and lamp black shall be mixed dry, the oil added, and the mixture stirred to a uniform consistency and applied at once. Each gallon of paint shall contain twelve (12) pounds of red lead and ten (10) ounces of lamp black; only a sufficient quantity for immediate use shall be mixed at once.

Surfaces not accessible and riveted work. Surfaces not accessible for painting after erection, such as the top surface of stringers, eye bar heads, ends of posts, chords, etc., shall have two coats of paint; all planed and turned surfaces shall be cleaned and coated with a mixture of white lead and tallow before leaving the shop. All riveted work in contact shall be painted before being riveted up.

Field coats. The field coats shall consist of fifteen (15) pounds of red lead, thirteen (13) ounces of lamp black to one (1) gallon of pure raw linseed oil; iron oxide, graphite, or other paint as may be specified and approved before the signing of the contract. Paint shipped in barrels for field purposes must be prevented from setting by frequent shaking.

Metal to be cleaned after erection. After erection all metal shall be thoroughly cleaned before being finally painted. The whole structure shall then receive two (2) coats of paint in addition to the coat already applied in the shop. No painting shall be done in wet or freezing weather. Properly skilled men shall be employed for painting the structure.

Wood in contact. Ties, guard rails, or surfaces of wood in contact with wood or steel, and countersunk holes for bolts and washers shall be thoroughly coated with hot tar thickened with lime.

Creosoting. When the timber is to be creosoted, it shall be thoroughly seasoned at a temperature not exceeding two hundred and thirty (230) degrees Fah.

in a vacuum of twenty-four (24) inches of mercury, and not less than ten (10) pounds of heavy creosote oil to each cubic foot of timber which shall be forced into the timber under a pressure of not less than one hundred and fifty (150) pounds per square inch.

Creosote oil.

Creosote oil shall contain not less than five (5) per cent. of otar acids, and not less than twenty-five (25) per cent. of ingredients that do not distil over at a temperature of six hundred (600) degrees Fah. It shall generally, be solid at a temperature of fifty (50) degrees Fah., and entirely liquid at a temperature of one hundred (100) degress Fah., and shall be free from water, ammonia, naptha, and all other impurities.

Asphalt concrete.

Solid trough floor shall have a coat of pure asphalt upon the metal and then covered with asphalt concrete of one part asphalt, two parts sand, and three parts limestone screenings, thoroughly mixed and rammed into place with tamping irons. Asphalt shall be of the best quality, free from coal tar or its products; it will not volatilize more than one-half (½) of one (1) per cent. under a temperature of three hundred (300) degrees Fah. for ten (10) hours. For underground structures a flow point of one hundred and eighty-five (185) degrees Fah. and a brittle point six (6) degrees Fah. below zero, will be required.

SHIPPING.

All pieces shall be carefully loaded and unloaded to avoid injury from bending or breakage and the Contractor shall be wholly responsible for all damage or injury whatsoever, till the erection and acceptance of the structure. All bent pieces or those otherwise injured or defective will be rejected, and shall be made good by the Contractor.

Train load tests.

Before the acceptance of the structure the Engineer may require a thorough test by passing over it the specified train loads at a speed not exceeding thirty (30) miles per hour, and coming to a stop at any point by means of air, or other brakes, or by resting the maximum load upon the structure for such period of time as he may think proper. No permanent set shall show after the tests are made, or change in any members.

No allowance for extra weight will be made beyond that calculated from the drawings, except as previously specified.

FOUNDATIONS.

The following conditions must be complied with regarding foundations:—

Soundings and borings.

The nature of the material upon which any structure may rest, shall be accurately ascertained by means of soundings and borings made with the necessary appliances. Upon this information the character of the foundation to be used will be determined. Foundations may be made of caissons or cribs sunk in place after the material has been dredged out below the river bed. These caissons will be afterwards filled up, but before doing so the Engineer may require additional borings after the cribs are sunk.

When the depth of water exceeds twenty (20) feet, and there exists the least uncertainty as to the nature of the soil upon which the structure will rest, pneumatic caissons will be preferable. These may be constructed of steel, or timber of any sound quality. The caissons shall be of an excess of strength properly bolted together, and the pneumatic chamber securely braced. Its dimensions both as to area and height will depend upon the nature of the soil upon which the caisson will finally rest, and the depth to which it will have to be sunk. Pneumatic foundations.

All the details of the caisson shall be submitted to the Engineer for approval before any work is begun on it. All appliances and machinery used therein shall be of the very best and most approved kind, to secure the safety of those working on the caisson.

The permissible bearing pressure upon the soil per square foot of any foundation will vary with the nature of the material, and shall be subject to the approval of the Engineer. This also applies to pile foundations of any kind, the dimensions of piles having been given in the Specification for Timber Trestles. Bearing pressure.

In pile foundations under water the areas will be dredged, or if free of water will be excavated to such depths as the Engineer may direct before the piles are driven, and the bottom of this excavation shall be one (1) foot below the top of the pile, the whole being cleared of all waste material before any concrete is laid. Area of pile foundation.

When timber platforms are laid on piles, the top shall be cut off level and true to the elevations marked by the Engineer, and caps of twelve (12) inch by twelve (12) inch timber laid on the piles, and upon these a platform of twelve (12) inch by twelve (12) inch timbers shall be laid on, and the whole securely fastened together with seven-eighth (⅞) inch drift bolts twenty-two (22) inches long. The spaces between the piles shall be filled up level with the tops of the heads before the timbers are bolted on, and after the timbering is done the spaces between shall be filled up with concrete well rammed. Platforms.

When the area is enclosed with water-tight sheet piling, the material shall be excavated as directed by the Engineer, the piles driven and cut off two (2) feet below the lowest water level, and the sheet piling one (1) foot below said level, and the spaces between piles and between them and the sheet piling filled up with well rammed concrete. Pile foundations with sheet piling.

Rock foundations shall be carefully cleared of all dirt, earth, loose rock, and, if necessary, levelled or stepped to receive the concrete or masonry. Rock foundations.

When the material to be excavated consists of hard pan, earth, or other material which will stand the permissible pressure without piling, the foundations shall be carried down to such depths as the Engineer shall direct. Hard pan, earth, etc.

All pits and trenches of foundations shall be kept clear of all injurious and loose material and free of water during the depositing of concrete or building of masonry for such times as the Engineer shall direct. After the concrete or masonry foundation has been laid the earth filling around it shall be carefully tamped in layers.

Rip rap. Structures resting on bottoms liable to scour shall be carefully rip rapped as soon as the foundation course is put in.

Cribs. Timber cribs resting on the bed of a river shall have the bed levelled off before the crib is sunk, and the bottom timbers of the crib shall be shaped to fit any irregularities of the surface. When cribs rest upon piles the bed of the river shall be dredged and the soft material removed, the piles driven and cut off at the same level, and the cribs shall extend to within three (3) feet of the lowest water.

When cribs are partially filled with concrete deposited in water, any vacant spaces between the foundation bed and the base of the crib liable to wash the first layers of concrete out shall be effectively filled to prevent the scouring of the concrete before any is deposited in the crib. The depth of concrete deposited under water in cribs to seal the bottom shall be determined by the Engineer. When necessary divers shall be sent down to pack and fill all angles and spaces around the timbers with concrete.

When concrete is deposited in cribs below water a drill shall be used to obtain a core to determine the nature of the concrete before the foundation is approved.

Between the inner face of the crib timbers and the masonry there shall be left at least a space of two (2) feet, and where a crib is built perpendicular in height, the batter of the masonry pier produced shall fall within the crib.

The bearing power of soil under foundations shall, if possible, be based on actual tests, but where impracticable, the following table may be used:—

Gravel and coarse sand well cemented, 8 tons per square foot.

Dry hard clay, 4 tons per square foot.

Sand compact and well cemented, 4 tons per square foot.

Moderately dry clay or clean dry sand, 2 tons per square foot.

Wet clay, 1 ton per square foot.

Quicksand and alluvial soils, 0 to ½ ton per square foot.

CEMENT.

How packed and weight. All cement used in any structure shall be of the best quality of Canadian Portland Cement, of approved manufacture, packed in barrels lined with tar paper, each barrel weighing with its contents three hundred and seventy-five (375) pounds, of which three hundred and fifty (350) pounds shall be cement; or if packed in bags, three hundred and fifty (350) pounds of cement net shall constitute a barrel. All bags shall be of fine and strong quality and all bags or barrels shall have the maker's name plainly stamped on them.

Chemical analysis and fineness.

All cement shall have a chemical analysis to be approved by the Engineer, and if required shall be tested by chemists of his selection. It shall not contain more than one and three-quarter (1¾) per cent. of anhydrous sulphuric acid (SO_3), nor more than four (4) per cent. of magnesia M_2O. It must be fresh and not have lost strength through age, but not new enough to be hot or quick setting.

Its specific gravity shall not be less than 3.1. It must be fully ground to a fineness that ninety-five (95) per cent. by weight will pass through a standard sieve of 10,000 meshes to the square inch, or a number 100 sieve, and seventy-five (75) per cent. by weight through a sieve of 40,000 meshes per square inch, or a No. 200 sieve.

Set.

No cement shall develop initial set in less than thirty (30) minutes, but must develop hard set in not less than one (1) hour nor more than ten (10) hours.

Pats.

Pats for testing will be mixed upon glass for five (5) minutes, composed of neat cement with twenty (20) per cent. by weight of water added. Each pat shall be three (3) inches in diameter by one-half (½) inch thick at the centre and tapered to a thin edge. They shall remain firm and hard when subjected to steam, air, and water tests, and shall show no signs of checking, blowing, cracking or warping, and shall have a blue-grey colour free from yellow spots or blotches.

Briquettes.

Briquettes required for tensile tests, shall be of standard form not less than one (1) square inch in section, their strength shall not retrograde within the period specified. The mortar shall be pressed into the moulds with thumbs, and shall be smoothed off on each side with trowels. They shall be kept in a damp atmosphere of from 63 degrees F. to 68 degrees F. for twenty-four (24) hours, and submerged in water at the same temperature and be kept in it until broken.

Neat cement tests.

In standard tests briquettes of neat cement shall be of the following tensile strengths:—

24 hours in moist air—150 lbs. per square inch.

One day in moist air and six days in water—450 lbs. per square inch.

One day in moist air and twenty-seven days in water—600 lbs. per square inch.

The increase from seven to twenty-eight days shall not be less than seventeen and a half (17½) per cent.

Cement and sand tests.

The proportion of water to be used in mixing shall be to thoroughly wet the mixture but shall not make it too wet when the mortar is pressed into the moulds. The method of filling the moulds and making the briquettes will be the same as for those made of neat cement. The proportions shall be one part of cement to three parts of sand by weight, and the tensile strength shall be one day in moist air and six days in water—150 lbs. per square inch; one day in moist air and 27 days in water—250 lbs. per square inch. The increase from seven to twenty-eight days shall not be less than twenty-five (25) per cent.

Sand for tests.

The sand for tests shall be of crushed quartz to pass through a twenty mesh sieve, and be retained upon a thirty mesh sieve.

If ordinary sand be used it shall be live, clean, sharp and silicious, free from loam, mica, or other impurities, and shall pass through a twenty mesh sieve and be retained upon one of twenty-eight meshes.

All sand required for mortar shall conform to this requirement in every respect.

CONCRETE.

Composition.

Concrete shall be composed of such parts of cement, sand and gravel or broken stone, as the Engineer shall direct.

Sand.

All sand shall be as specified above, and shall be uniformly graded from coarse to fine, no particle being more than one-eighth (⅛) inch in diameter, and containing not more than ten (10) per cent. very fine.

If required by the Engineer the sand shall be screened or washed, and must be equal in every respect to the samples submitted to him, and it shall be approved by him before being used on the work.

Gravel.

All gravel shall be of good quality and composed of hard, durable, irregular stones, free from all loam, dirt, and other impurities, and shall not contain more than fifteen (15) per cent. of sand. It shall be uniformly graded in size from one-quarter (¼) inch diameter up to the sizes specified for the different classes of concrete mentioned hereafter.

Broken stone.

All broken stone shall be of approved hardness and toughness, and shall be of clean crushed granite, trap or limestone, free from dust and dirt and all foreign matter, and shall be uniformly graded in size from one-quarter (¼) inch diameter up to the maximum size required for the different classes of concrete, broken into cubical shapes and free from long thin scales.

Machine mixing.

When the amount of concrete to be used exceeds five hundred (500) cubic yards, an approved mixing machine shall be used. The materials for each batch shall be carefully measured and mixed dry, after which clean water shall be added and the mixing continued till the whole is uniform throughout. No continuous mixing machines will be allowed.

Hand mixing.

When the quantity of concrete to be used is less than five hundred (500) cubic yards the mixing may be done by hand on a tight, smooth platform not less than twelve (12) feet by fourteen (14) feet with a raised rim about three (3) inches in height to prevent loss of mortar. The sand shall be first evenly spread all over the platform and then the proper proportion of cement added and spread over the sand. The whole shall then be thoroughly mixed together with hoes or shovels, dry and heaped up in the centre of the board, and then spread evenly over it. After this clean water shall be added and the whole mixed thoroughly wet. The stone or gravel shall then be spread evenly over the mortar and the whole mass thoroughly mixed together with hoes or shovels, being turned over at least three (3) times, not counting the shovelling off the board. Not more than three-quarter (¾) cubic yard shall be mixed in any one batch.

Depositing.

After the mixing has been done in a satisfactory manner, the concrete shall be quickly deposited in place in layers not exceeding nine (9) inches thick, so as to avoid initial set, and thoroughly rammed till the water flushes to the top. No concrete which shows signs of initial set shall be deposited in the work.

For all surfaces exposed in the finished work, or for concrete that is reinforced, enough water shall be added to make what is called a wet mixture. With this mixture the tamping may be omitted, but the concrete shall be worked with a flat iron bar, every care being used to surround all the reinforcing rods, and to remove all air bubbles from the surface next the forms.

Concrete deposited in water.

When concrete is deposited under water, the structure shall be surrounded with a cofferdam, or other means to prevent running water. It shall be deposited from a box having a hinged bottom, care being taken to keep the surface of the concrete as nearly level as possible. The contractor shall use twenty-five (25) per cent. more cement in this case in excess of that called for in similar work deposited in the ordinary manner. No extra compensation will be allowed for this additional cement.

Joints.

As far as possible, the mixing and laying of concrete shall be as continuous as practicable, but where joints are necessary they are to be made at right angles to the line of stress. In foundation work, or other massive construction, where the concrete is deposited in layers, the surface of the course finished at noon hour, or the previous night, shall be left rough and picked over after being swept clean, when a coating of 1 to 1 mortar shall be applied to it before the next layer is laid on.

Joints in monolithic beam or slab construction shall be made only over the beams, and by means of a stop board placed in a vertical position and having a key on the side next the concrete first placed.

Joints in arch rings shall be made by means of a stop board placed radially to the curve of the arch and having a key as above specified.

Expansion joints.

Expansion joints shall be made by means of stop joints having proper keys. Unless otherwise ordered the bond shall be broken by a heavy coat of asphalt applied hot to the surface of the concrete first placed.

Protecting concrete.

After depositing, all concrete shall be kept wet for one week, and in hot weather must be protected from the sun for this period, or sprinkled with water during the day by a man especially detailed for this work.

Protecting material.

All sand, gravel or broken stone used in concrete shall be deposited on clean boards and protected from dirt.

No concrete shall be laid in freezing weather without the written permission of the Engineer, and unless the necessary arrangements are made for heating the material to maintain a temperature above the freezing point until the concrete has set.

Surface finish.

After the forms have been removed all the exposed surfaces shall be carefully examined and all cavities filled with mortar of the same proportions as originally used in the work, and all projecting surfaces shall be carefully ground down or chipped off, and the work left smooth and true to line.

Before the mortar for filling cavities is applied to any surface, the latter shall be thoroughly cleaned and all loose cement removed. It shall then be saturated with water, and the mortar applied while the surface is wet.

Rubbed finish.

If a rubbed finish is specified, after the forms are removed, and the cavities filled with mortar, a wash consisting of one part cement to two of fine sand shall be applied, and the whole gone over with a piece of sandstone to remove all rough and irregular surfaces and to obtain a smooth face.

Washed finish.

If a washed finish is required, the forms shall be removed twelve hours after the concrete has been deposited, and the surface scrubbed with clean water, or a solution of muriatic acid, to remove the surface cement and expose the stone, for which purpose wire brushes shall be used.

Tooled surfaces.

Where tooled surfaces are specified the contractor shall supply all the necessary tools as would be used for the similar dressing of stone.

Measuring materials.

All materials for concrete shall be accurately measured out in boxes made to contain the exact proportions. All materials shall be measured loose.

One man stones.

In heavy work, or where any large masses of concrete are used, twenty-five (25) per cent. of one man stones may be placed in the concrete; they must be sound and perfectly clean, and wet before placing. Their largest faces shall be laid down, and no stone shall be nearer the face of the work, or to any other stone, than twelve (12) inches.

Forms.

All forms and centres for moulded concrete shall be strong and rigid enough to resist any motion while the concrete is being placed, and in addition thereto, shall be able to withstand any superimposed load put on the work during construction.

Arch centres.

Centres for arches of thirty (30) feet span or more shall have all their main members securely bolted together, as no reliance will be placed on spiking. Centres shall be so constructed as to permit of a settlement of one-half (½) inch for each twenty-five (25) feet vertical height.

Materials for forms.

Forms for exposed surfaces shall be built of tongued and grooved sheeting, dressed on the inside to a smooth surface, and shall be made as nearly watertight as possible.

Forms for unexposed surfaces may be made of undressed sheeting, but must be reasonably watertight to prevent loss of cement. All work to a depth of eighteen (18) inches below finished grade shall be treated as exposed work.

Oil or soap for forms.

All forms for exposed work shall be rubbed over with oil or soap to prevent the cement sticking to the sides. If oil be used, it shall be thick enough to act as a filler; if soap is used, it shall be mixed with enough water to make a thin jelly. When forms are used more than once they shall be thoroughly cleaned and re-oiled, or another coat of soap applied.

Before any concrete is placed in the forms, all sawdust, shavings, and other debris shall be carefully removed by some effective means approved of by the engineer. Forms for columns and girders shall have an opening at the bottom for the removal of rubbish. All forms shall be built by experienced workmen only, and shall be true in every respect to the lines and grades and other dimensions shown on the drawings of the structure. Removal of sawdust and inspection.

Forms shall be rigidly inspected before any concrete is placed, and must be satisfactory to the Engineer in every respect.

Forms shall not be removed in less than fourteen (14) days in summer, or twenty-eight (28) days in winter, except in vertical surfaces carrying no load. Removal of forms.

In beam and girder construction the forms shall be removed from columns before the beam and girder supports are taken away, to allow for the thorough inspection of the column concrete. Girder and beam forms shall be so made that the sides may be removed without disturbing the shores supporting them.

No centres shall be struck under arches, in less than twenty-eight (28) days, except in spans under twenty-five (25) feet. When removing centres, care must be taken in all cases to do so gradually to avoid shock to the concrete. Removal of centres.

No forms shall be removed from any structure without due notice being given to the Engineer, but such notice, or permission given to do so, shall in no wise relieve the contractor from any liability for damage to the structure, or for any accident whatever. Notice of removal of forms.

The corners of all beams and girders and columns shall be chamfered, and the sides splayed, so that the forms may be more readily removed. Sharp corners.

All wires, bolts, or other material, used by the Contractor in making the forms, and which may have to pass through the concrete and cannot be removed, shall be cut off at least one (1) inch beneath the surface, and the ends covered with mortar of the same proportion as used in the concrete. Projecting wires, etc.

All reinforcing rods shall be placed exactly in the positions shown on the drawings, and must be securely wired or otherwise fastened, so that during the process of placing and tamping the concrete, they will not be displaced. The rods shall be wired at each intersection if necessary. Re-inforcing rods.

All proportions given in the table below may be subject to changes, from time to time, if conditions so require to obtain a proper mixture. Should such changes require a larger proportion of cement than given below, the contractor shall be allowed the actual cost delivered at the mixer, of such additional cement. Where less is required than called for in the table, a deduction of cost of ten (10) per cent. will be made. Changes in concrete proportion.

The following table gives generally the proportions by volume and measured loose, required in the different classes of structures:— Proportions for concrete.

——	Portland cement.	Sand.	Gravel or stone.	To pass through a ring in inches.	To be held on ring in inches.
For arches, slabs, girders, beams, floors, walls subject to transverse stress, columns	1	2	4	1½	¼
For spandrel and retaining wall, less than 24 inches thick	1	2½	5	1½	¼
For spandrel and retaining walls, piers and abutments, 24 inches to 36 inches thick	1	3	6	2	..
For spandrel and retaining walls, piers and abutments over 36 inches thick	1	3½	7	3	..
Foundations, footing courses	1	2½	6	2½	..
Massive foundations	1	3	7	3	..
Bottomless caissons filled through water	1	2	4	2	..
Bottomless caissons sealing bottom	1	2	3	1½	
Caissons, pneumatic chamber	1	2½	5	2	..
Caissons, sealing 2 feet at bottom	1	2	3	1½	..

REINFORCED CONCRETE.

Unit stresses for reinforced structures:

Modulus of elasticity of concrete	1,500,000 lbs.
Modulus of elasticity of steel	30,000,000 lbs.

Maximum compression, stone or gravel concrete:

In arches for electric car and highway bridges, exclusive of temperature stresses	400 lbs. per sq. in.
Including temperature stresses due to 40° F. variation in temperature	500 " " " "
In arches for railway bridges exclusive of temperature stresses	300 " " " "
Including temperature stresses due to 40° F. variation in temperature	400 " " " "
For hooped columns	400 " " " "
On extreme fibres of beams and slabs for bending	500 " " " "

Maximum shearing:

For stone or gravel concrete	50 " " " "

Bond between steel and concrete:

For stone or gravel concrete	45 " " " "

Tension on steel only:

Soft steel	14,000 " " " "
Medium steel	15,000 " " " "
Tension on concrete	0 " " " "

Highway and electric car bridge substructures shall have at least a factor of safety of four (4) in thirty (30) days. Railway bridge substructures at least a factor of safety of five (5) in thirty (30) days. Factor of safety.

Steel ribs in arches under a stress of fifteen thousand (15,000) lbs. per square inch must assume the maximum bending moment of the arch without assistance from the concrete. Steel ribs.

In structures subject to transverse stresses the steel shall be assumed to take the entire tensile stress without aid from the concrete. The area of reinforced steel with an elastic limit of thirty million (30,000,000) lbs. per square inch will be about one (1) per cent. of the area of the concrete. Transverse stresses.

No allowance in walls and posts subject to compression only, shall be made for the strength of the steel enclosed therein. Compression.

REINFORCED CONCRETE—DETAILS OF DESIGN.

All parts of the structure shall be built in strict accordance with the plans prepared by the Engineer, which plans shall show fully every detail of reinforcement. Plans.

Reinforced beams, or slabs, shall be designed so that the stress curves shall be a straight line. No allowance shall be permitted for tension in concrete. Beams carrying slabs reinforced in both directions shall have their moments increased thirty (30) per cent., owing to the concentration of the slab reaction near the centre of the beam. Beams and slabs.

In the construction of monolithic beams and slabs, a portion of the beam or slab may be taken as flange area for resisting compression, but the allowable unit stress given in the table above, shall be reduced twenty-five (25) per cent. for concrete in compression. The width of slab, considered as flange area, shall not be greater than twelve (12) times the thickness of the slab, nor six (6) times the thickness of the stem of the beam, nor one-half (½) the span of the slab. Tee beams.

The beams must be cast in such a manner that there shall be no cleavage at the junction of the beam and slab. Where this is impracticable enough steel stirrups must be provided to take the whole horizontal shear without any reliance being placed on the concrete.

In continuous tee beams the compression on the lower side at the point of maximum negative, moment must be calculated, and should it exceed the greatest allowable unit stress on concrete, enough steel must be provided to take the excess stress.

When the horizontal shear per square inch exceeds the allowable unit shear on concrete, steel stirrups must be provided to take the excess shear and any diagonal tension that may exist. Two-thirds (⅔) of the main tension rods may be bent up at the ends to provide material for resisting horizontal shear. Stirrups.

In all beams or girders sufficient concrete must be provided to take the vertical shear coming thereon without any reliance being placed on Vertical shear.

the steel reinforcing, unless the steel be of such a character, and so designed, that it will take all the shear itself without any regard to the concrete surrounding it.

Columns. The unsupported length of any column shall not exceed fifteen (15) times its least lateral dimension.

All columns shall be so constructed that they shall resist safely all lateral bending produced by considering the full live load acting in the panels on one side of the column with no live load on the other side, in addition to the vertical loading. Bending due to any eccentricity of vertical loading shall also be considered. Columns subjected to both vertical stress and flexure shall not be less in sections than that required for vertical stress alone, and the extreme fibre stress produced by the combined loading shall not exceed by more than twenty-five (25) per cent. the allowable unit stress given in the table for compression on columns.

All columns shall have longitudinal reinforcement arranged in such a manner as to ensure resistance to flexure, and in no case shall the combined area of steel be less than one (1) per cent. of the area of concrete used in the column. These reinforcing rods shall be so stiffened against buckling that the distance apart of these stays shall not exceed twenty-four (24) times the least lateral dimensions of the rod.

In columns built up of hoops, the area of hooping shall not be less than one (1) per cent. of the vertical section; the hooping shall be in the form of a spiral with a pitch not greater than its diameter, and at least one (1) per cent. of longitudinal reinforcement shall be provided. The allowable unit stress on these columns, considering only that portion enclosed within the hoops as effective, shall not exceed fifty (50) per cent. of that for ordinary reinforced concrete columns.

Arches and culverts. In addition to the live load previously specified, arches shall be proportioned to carry the weight of concrete taken at one hundred and fifty (150) pounds per cubic foot, and earth filled at one hundred and twenty-five (125) pounds per cubic foot.

The pressure of the earth fill over arches and culverts shall be assumed to be equal to the weight of material included between two planes at the ends of the span, making an angle with the vertical equal to one-half (½) the angle of repose of the material. If these planes intersect above the top of the fill then the whole weight between the vertical planes shall be taken as carried.

Arch rings not reinforced shall be so designed, and shall be of such a thickness, that the line of pressure shall in no case pass outside the middle third of the ring at any point.

Those reinforced with steel shall have the area of steel at the crown in no case less than one-half (½) of one (1) per cent. of the area of the concrete, and at all other points in the ring there shall be enough steel to take the bending moment alone, without reliance on the surrounding concrete; they shall also have transverse reinforcement enough to resist the bending moment due to the thrust of the filling on the spandrel wall.

A range of temperature of plus 40 degrees F. shall be assumed for all arch rings. **Temperature.**

The lateral pressure on retaining walls due to back filling shall be considered as acting one-third (1/3) of the height of the wall from the ground, and equal in amount to the weight of track filling included between the vertical and a plane bisecting the angle of repose with the vertical. Should any superimposed load be carried between the bisecting plane mentioned above and the back of the wall, it must be added to the load produced by the back filling. **Pressure of back filling.**

All footings shall be deep enough to take the shear produced by vertical loading, without any reliance being placed on reinforcing rods, if any are put in. **Footings.**

Reinforcing rods must be of sufficient area to develop the full strength without exceeding the allowable unit stress for bond between steel and concrete. **Length of rods.**

When deformed rods are used the allowable unit stress between steel and concrete may be increased fifty (50) per cent. These rods are preferable in work under water, and in bridges. **Deformed rods.**

Steel used in reinforcing above grade shall be protected by a covering of concrete of the thicknesses given as follows:— **Steel protection.**

Slabs 3 inches or less in thickness, 1/2 inch.

Slabs over three inches in thickness, 1 inch.

Beams, columns, walls, arches, etc., 2 inches.

Steel used in concrete below grade, or under water, shall be covered by at least four (4) inches of concrete for all work.

Expansion joints shall be provided in all walls and footings over fifty (50) feet, and at intervals not exceeding that distance, also in spandrel walls of arches at the crown and haunches, unless special reinforcement has been provided for taking the stress due to expansion. These joints shall be provided with proper keys to prevent lateral displacement. **Expansion joints.**

Unless otherwise stated, all arches and other concrete structures carrying earth fills shall be properly waterproofed by four (4) layers of approved felt laid in hot asphalt. **Water proofing.**

The Engineer may test the structures upon completion, and they shall be able to sustain a load of four (4) times that they are designed to carry. If any parts are tested to destruction and prove satisfactory in all respects, the contractor shall be paid the cost price less the scrap value. If unsatisfactory, the contractor shall pay the full cost and the whole shall be rejected. **Tests.**

MASONRY.

All stones used in masonry structures shall be of a sound and durable nature, free from shakes, cracks, flaws, and of a description which will withstand the action of the weather.

Character. Masonry shall generally be of rock faced ashlar, laid in courses not exceeding thirty-six (36) inches, nor less than fifteen (15) inches in height. The rock face shall not project more than three (3) inches beyond the face, or draft lines of the stones, and without hollow faces. The stones shall have a chisel draft of two (2) inches at corners, and batter lines. All coping stones, chamfers, arrisers and cutwaters shall be chisel dressed.

Stretchers. Stretchers shall be not more than six (6) feet in length, nor less than four (4) feet, the upper and lower beds to be of a depth not less than one and a half (1½) times the height of course when the course is less than twenty-four (24) inches rise.

Headers. Headers shall be built in each course not more than six (6) feet apart and so arranged that they shall be equally distributed over the faces of the structure, but in no case shall a header come over a joint, nor a joint over a header. Their length in the face of the work shall not be less than twenty-four (24) inches, and their depth in the wall shall be at least four (4) feet, and not less than two and a half (2½) times their rise, and shall have the same dimensions all through the wall that they have on the face. Walls six (6) feet and under, and piers seven (7) feet and under in thickness, shall have the headers extend right through the structure. In thicker piers there will be a header between the face headers.

Beds and joints. The stones must be square jointed and laid on their natural beds, the largest bed down; the beds must be well dressed, parallel and true. The beds and sides of the stone shall be cut to form joints not exceeding half (½) inch thick. All the beds throughout of the stone, and the vertical joints, shall be dressed close for at least twelve (12) inches back from the face, and one to four (1—4) inches for the remaining length of stone, and shall break joint not less than twelve (12) inches with the joints in the courses below.

Hollows. Stones having hollows not more than six (6) inches across, provided these holes do not exceed one-third (⅓) of the joint surface required, and are not nearer than three (3) inches from the edge of the joint, may be accepted.

Copings, etc. Coping stones, parapets, bridge seats, etc., shall be accurately chisel dressed or bush hammered. The copings of piers and abutments shall be of the best stone in the quarry, and shall not be less than twenty-four (24) inches in vertical height for long spans. They shall be dressed square throughout for quarter (¼) inch joints.

All stone must be moistened before being raised and before the succeeding course is laid. They shall be cleaned and fitted to proper bearing and bed, then raised and a full mortar bed spread that the stone may be brought to a firm level without the use of spalls and pinners. All stones moved after the mortar has set shall be taken up and re-set in fresh mortar. Hammering on stones shall not be allowed after the mortar has set. Each course shall be flushed with mortar before the next course is laid on.

All the joints in a masonry structure shall be pointed. The joints shall be cleared out to a depth of one and a half (1½) inches, and re-filled, being thoroughly moistened before re-filling, and the original mortar being kept moist the day the pointing is being done. Pointing.

The stones in cutwaters shall have the beds and vertical joints dressed back the full length of the stone to make a joint of one-quarter (¼) inch. They shall have an area of bed not less than six (6) square feet, and shall be furnished with countersunk cramps fitted into each course and fastened with bolts through one and a half (1½) courses of masonry and the holes filled up with cement grout. The backing shall be the same thickness as the face stone and dressed to half (½) inch joints. Cutwaters.

The beds of all backing shall be picked off to one half (½) inch joints, and the stones shall not be less than half the thickness of course, nor less than eight (8) inches in depth. When the vertical joints average more than two (2) inches, they must be hammered off. The stones must be laid in full mortar beds, and shall break joint and bond at least ten (10) inches, and must be in contact with the surrounding stones. The spaces between the stones shall not be over six (6) inches, and shall be filled up with spalls laid flat, and fully flushed with mortar. The backing stones shall have a bed of at least three (3) square feet. No grout shall be used except on written order of the Engineer. Stone backing.

When concrete backing is used the concrete shall be deposited in layers of nine (9) inches, and rammed to pack thoroughly around the face stones. It shall be well levelled at each course, and all holes and cavities run up full, and the whole flushed with mortar. Concrete backing.

The cement and sand shall be mixed dry in a box and sufficient clean water added, in such a manner as not to wash out the cement. It shall make a stiff paste thoroughly mixed, and must be used at once. No mortar which has been left standing shall be used on any account. Mixing of mortar.

The proportions of mortar shall be as follows: Proportions.

	Portland cement.	Sand.
Ordinary beds and joints	1	3
Plastering moulds	1	2
Beds and joints of cutwater, coping and pointing	1	1

The dimensions of piers at the coping shall generally be proportioned to suit the width of superstructure, and dimensions of bed plates. The batter will usually be one-half (½) inch to one (1) foot. The batter of the cutwater must depend upon local conditions of ice. Dimensions of Piers.

LIST OF DIAGRAMS AND TABLES.

Diagram—

A—Standard Clearance, Railway Bridges.

B—Standard Loading for Railway Bridge.

C—Conventional Signs for Rivets.

Table No.

1. Maximum Moments, Shears and Floor Beam Reactions for Spans Under Eighty Feet.
2. Maximum Moments, Shears, Floor Beam Reactions, and Equivalent Uniform Live Loads, Class II. Loading.
3. Stress in Compression Members.
4. Maximum Bending Moments on Pins.
5. Shearing and Bearing Value of Rivets, Railway Bridges.
6. Shearing and Bearing Value of Rivets, Highway Bridges.
7. Deductions for Rivet Holes.
8. Table for proportioning Gear and Rack Teeth.
9. Recommended Standard Upsets of Round and Square Bars.
10. Sizes of Railway Bridge Ties.

DIAGRAM A.

STANDARD CLEARANCE & FLOORING OF RAILWAY BRIDGES

Ontario Railway & Municipal Board.

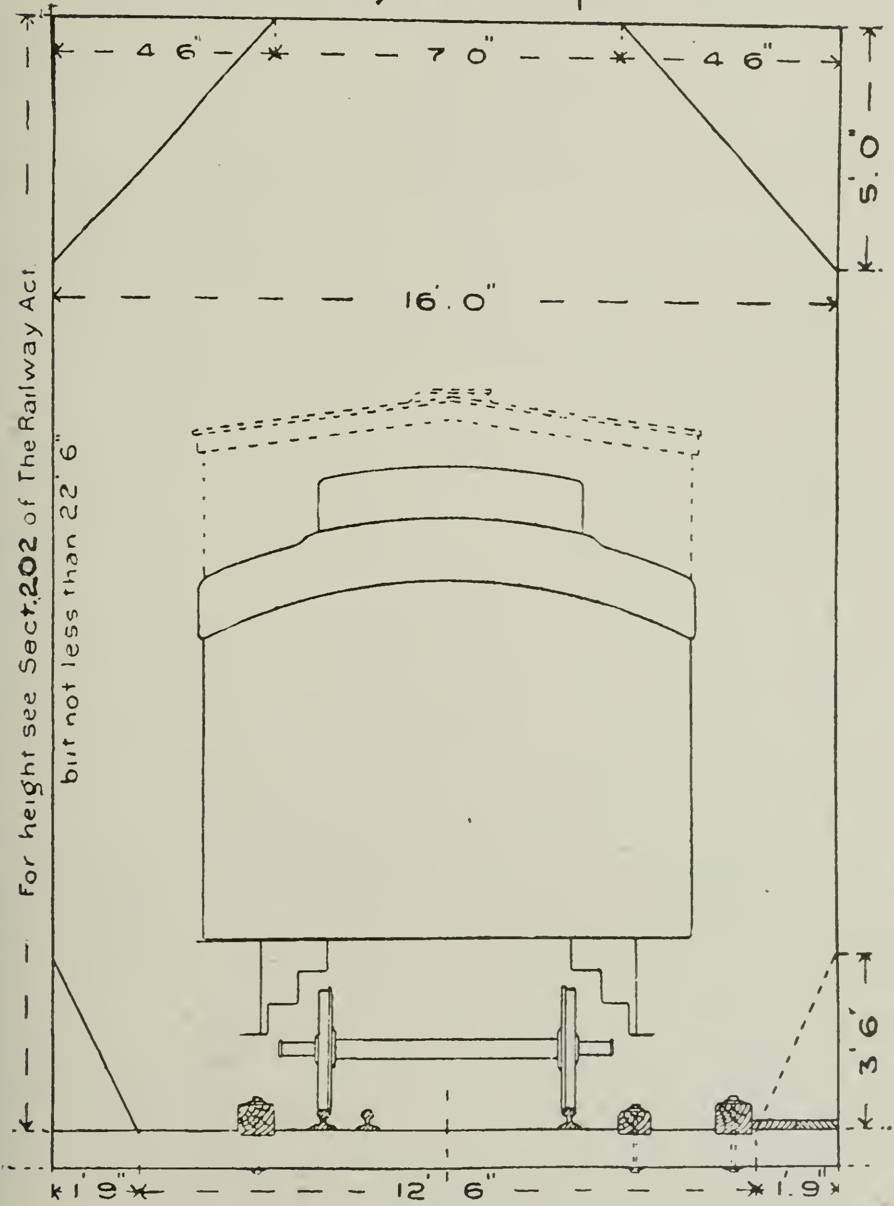
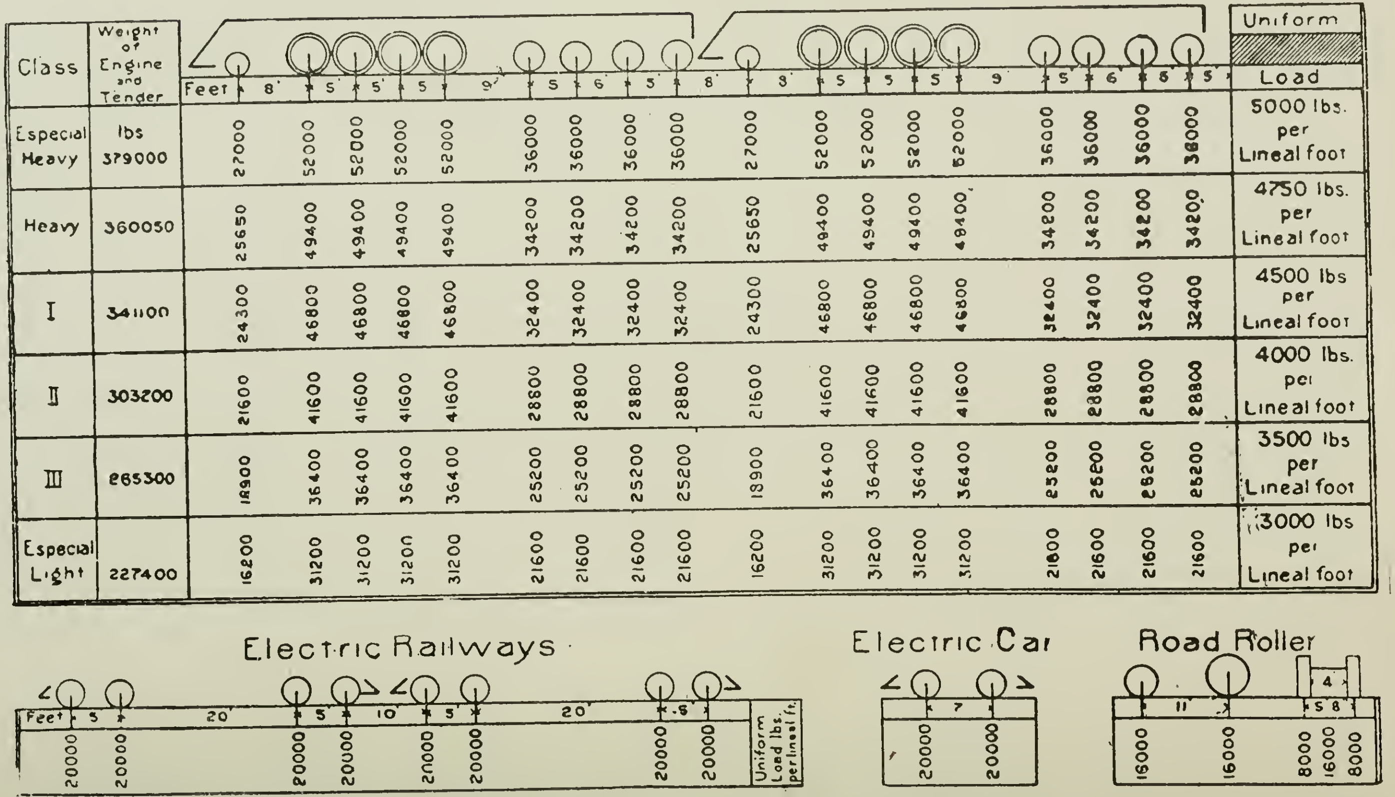


DIAGRAM B

Standard Loading of the Ontario Railway & Municipal Board.

Steam Railways. 1910



Feet 8' 5 5' 5 9' 5 6' 5' 8' 8' 5 5 5 9 5 6' 5 5

Class	Weight of Engine and Tender lbs																					Uniform Load
Especial Heavy	379000	27000	52000	52000	52000	52000	36000	36000	36000	36000	27000	52000	52000	52000	52000	36000	36000	36000	36000	5000 lbs. per Lineal foot
Heavy	360050	25650	49400	49400	49400	49400	34200	34200	34200	34200	25650	49400	49400	49400	49400	34200	34200	34200	34200	4750 lbs. per Lineal foot
I	341100	24300	46800	46800	46800	46800	32400	32400	32400	32400	24300	46800	46800	46800	46800	32400	32400	32400	32400	4500 lbs per Lineal foot
II	303200	21600	41600	41600	41600	41600	28800	28800	28800	28800	21600	41600	41600	41600	41600	28800	28800	28800	28800	4000 lbs. per Lineal foot
III	265300	18900	36400	36400	36400	36400	25200	25200	25200	25200	18900	36400	36400	36400	36400	25200	25200	25200	25200	3500 lbs per Lineal foot
Especial Light	227400	16200	31200	31200	31200	31200	21600	21600	21600	21600	16200	31200	31200	31200	31200	21600	21600	21600	21600	3000 lbs per Lineal foot

Electric Railways

Feet 5 20' 5 10 5 20' .5

20000	20000	20000	20000	20000	20000	20000	20000	Uniform Load lbs. per lineal ft.

Electric Car

7

20000	20000

Road Roller

11 5 8 4

16000	16000	8000	16000	8000

DIAGRAM C.

CONVENTIONAL SIGNS FOR RIVETING.

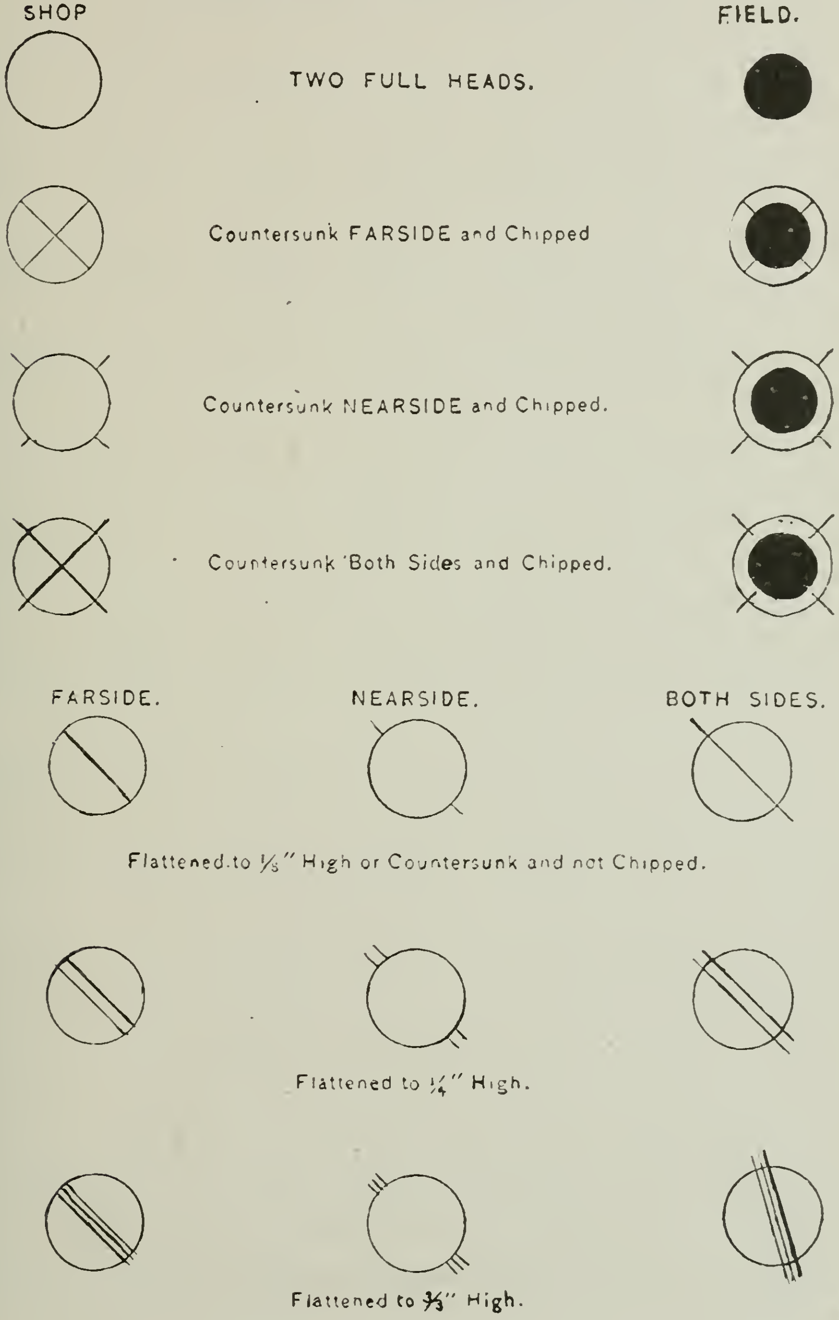

SHOP
FIELD.
TWO FULL HEADS.
Countersunk FARSIDE and Chipped
Countersunk NEARSIDE and Chipped.
Countersunk Both Sides and Chipped.
FARSIDE.
NEARSIDE.
BOTH SIDES.
Flattened to 1/8" High or Countersunk and not Chipped.
Flattened to 1/4" High.
Flattened to 3/8" High.

TABLE 1.

Table for 2 Rails for engine loading, or alternative concentrations, incl. factor $1.40-\frac{L}{200}$

Span in ft.	(5.00) Especial Heavy.			(4·75) Heavy.			(4·50) Class I.			(4·00) Class II.			(3·50) Class III.			(3·00) Especial Light.		
	Mom.	Shear.	F.B.R.	Mom.	Shear.	F.B.R.	Mom.	Shear.	F.B.R.	Mom.	Shear.	F.B.R.	Mom.	Shear.	F.B.R.	Mom.	Shear.	F.B.R.
5	103·1	82·5	81·0	103·1	82·5	81·0	103·1	82·5	81.0	85·9	68·8	67·5	85·9	68·8	67·5	85·9	68·8	67·5
6	123·3	83·1	92·9	123·3	82·2	88·3	123·3	82·2	83·6	102·8	68·5	74·3	102·8	68·5	67·0	102·8	68·5	67·0
7	143·3	91·3	108·7	143·3	86·7	103·2	143·3	82·1	97·8	119·4	73·0	86·9	119·4	68·3	76·1	119·4	68·3	66·5
8	163·2	97·2	120·1	163·2	92·4	114·1	163·2	91·8	108·1	136·0	77·8	96·1	136·0	76·5	84·1	136·0	76·5	74·2
9	182·9	101·8	128·7	182·9	99·4	122·2	182·9	99.4	115·8	152·4	82·8	102·9	152·4	82·8	90·1	152·4	82·8	80·1
10	202·5	105·3	135·2	202·5	105·3	128·4	202·5	105·3	121·7	168·8	87·8	108·2	168·8	87·8	94.6	168·8	87·8	84·5
11	229·7	114·5	146·4	221·9	110·1	139·1	221·9	110·1	131·7	184·9	91·7	117·1	184·9	91·7	102·5	184·9	91·7	88·0
12	278·7	121·9	155·3	264·8	115·8	147·5	250·8	113·9	139·8	223·0	97·6	124·2	201·7	94·9	108·7	201·7	94·9	93·2
13	329·8	128·2	162.6	313·3	121·8	154·4	296·8	117·1	146·3	263·8	102·5	130·0	231·7	97·6	113·8	231·7	97·6	97·5
14	380·4	133·4	170·9	361·3	126·7	162·4	342·3	120·0	153.8	304·3	106·7	136·7	266·3	99·8	119·6	261·8	99·8	102·6
15	430·6	137·8	177·8	409·1	130·9	168·9	387·6	124·0	160·0	344·5	110·2	142·3	301·4	101·6	124·5	292·0	101·6	103·7
16	480·5	145·9	183·6	456·5	138·6	174·4	432·5	131·3	165·2	384·4	116·7	146·9	336.3	103·1	128·5	322·3	103·1	110·2
17	530·0	152·9	188·4	503·5	145·2	179·0	477·0	137·6	169·6	424·0	122·3	150·7	371·0	107·0	131·9	352·4	104·4	113·0
18	579·0	159·0	193·0	550·1	151·0	183·4	521·1	143·1	173·6	463·2	127·2	154·4	405·3	111·3	135·2	382·6	105·5	115·8
19	633·0	164·3	198·8	601·4	156·1	188·8	569·7	147·9	178·8	506·4	131·4	159·0	443·1	115·0	139·2	412·6	106·5	119·2
20	697·2	169·0	205·6	662·3	160·6	195·2	627.4	152·1	185.0	557·7	135·2	164·4	488·0	118·3	143·8	442·4	107·3	123·4
21	760·8	173·2	211·6	722·8	164·4	201·0	684·8	155·8	190·4	608·7	138·5	169·2	532·6	121·2	148·0	472·2	107·9	127·0
22	824·0	176·8	216·8	782·8	168·0	206·0	741·6	159·2	195·0	659·2	141·5	173·4	576·8	123·8	151·8	501·6	108·5	130·0
23	886·9	180·2	221·2	842·6	171·2	210·2	798·4	162·2	199·0	709·5	144·1	177·0	620·8	126·1	154·8	532·2	108·9	132·8
24	949·1	184·4	225·0	901·6	175·2	213·8	854·2	166·0	202·6	759·2	147·6	180·0	664·3	129·1	157·6	569·4	110·7	135·0
25	1,011·0	188·4	228·2	960·5	179·0	216·8	909·9	169·6	205·4	808·8	150·7	182·6	707·7	131·9	159·8	606·6	113·0	137·0
26	1,072·6	192·0	232·6	1,018·9	182·4	220·8	965·3	172·8	209·2	858·0	153·7	186·0	750·7	134·4	162·8	643·5	115·2	139·6
27	1,133·6	195·2	237·8	1,077·0	185·4	225·8	1,020·3	175·6	214·0	906·9	156·1	190·2	793·5	136·6	166·4	680·2	117·0	142·6
28	1,197·7	198·6	242·6	1,137·8	188·6	230·4	1,077·9	178·6	218·2	958·1	158·8	194·0	838·4	139·0	169·8	718·6	119·2	145·6
29	1,266·6	201·6	246·6	1,203·2	191·4	234·2	1,139.9	181·4	221·8	1,013·3	161·2	197·2	886·6	141·0	172·6	760·0	121·0	148·0
30	1,335·0	205·8	250·0	1,268·2	195.4	237·6	1,201.5	185·2	225·0	1,068·0	164·6	200·0	934·5	144·0	175·0	801·0	123·4	150·0

31	1,402·8	209·6	254·6	1,332·8	199·0	241·8	1,262·6	188.6	229·0	1,122·2	167·6	203·6	982·0	146·6	178·2	841·7	125·8	152·8
32	1,470·0	213·0	259·6	1,396·5	202·4	246.6	1,323·0	191·8	233·6	1,176·0	170·4	207·6	1,029·0	149·2	181·6	882·0	127·8	155·8
33	1,536·6	216·2	263·9	1,459·7	205·4	250·6	1,382·8	194·6	237·4	1,229·2	173·0	211·0	1,075·6	151·4	184·6	921·9	129·8	158·2
34	1,602·6	219·0	267·8	1,522·4	208·0	254·4	1,442·3	197·2	241·0	1,282·0	175·2	214·2	1,121·8	153·4	187·4	961·5	131·4	160·6
35	1,669·6	221·8	271·2	1,586·2	210·6	257·6	1.502·6	199·6	244.2	1,335·7	177·4	217·0	1,168·8	155·2	189·8	1,001.8	133·0	162·8
36	1,745·0	225·6	274·2	1,657·8	214·2	260·6	1,570·4	203·0	246·8	1,396·0	180·4	219·4	1,221·6	157·8	192·0	1,047·0	135·4	164·6
37	1,820·0	228·8	277·0	1,729·0	217·4	263·2	1,638·0	205·8	249·4	1,456·0	183·0	221·6	1,274·0	160·2	194·0	1,092·0	137·2	166·2
38	1,894·4	231·8	280·6	1,799·6	220·2	266.4	1,704·8	208·6	252·4	1,515·4	185·4	224·4	1,326·0	162·2	196·4	1,136·6	139·0	168·4
39	1,971·8	234·8	283·8	1,873·2	223·0	269·6	1,774·6	211·2	255·4	1,577·4	187·8	227·0	1,380·2	164·4	198·6	1,183·2	140·8	170·2
40	2,055·6	237·2	286·8	1,952·8	225·4	272·4	1,850·0	213·6	258·0	1,644·4	189·8	229·4	1,438·8	166·0	200·8	1,233·4	142·4	172·0
41	2,138·8	240·8	292·6	2,031·8	228·8	277·8	1,924·8	216·6	263·2	1,711·0	192·6	234·0	1,497·2	168·6	204·8	1,283·4	144·4	175·6
42	2,221·2	244·2	298·2	2,110·4	232·0	283·4	1,999·2	219·8	268·4	1,777·0	195·4	238·6	1,555·0	171·0	208·8	1,332·8	146·6	179·0
43	2,302·8	247·0	303·8	2,187·6	234·6	288·6	2,072·4	222·2	273·4	1,842·2	197·6	243·0	1,612·0	173·0	212·6	1,381·8	148·2	182·2
44	2,383·6	249·8	309·8	2,264·6	237·2	294·2	2,145·4	224·8	278·8	1,907·0	199·8	247·8	1,668·6	174·8	216·8	1,430·4	149·8	185·8
45	2,463·8	252·6	315·6	2,340·6	239·8	299·6	2,217·4	227·2	284·0	1,971·0	202·0	252·4	1,724·8	176·8	220·8	1,478·4	151·6	189·4
46	2,543·2	255·0	321·0	2,416·2	242·2	305·0	2,289·0	229·6	289·0	2,034·6	204·0	256·8	1,780·2	178·6	224·8	1,526·0	153·0	192·6
47	2,621·6	257·6	326·6	2,490·4	244·6	310·2	2,359·2	231·8	293·8	2,097·2	206·0	261·2	1,835·2	180·2	228·6	1,573·0	154·6	196·0
48	2,699·6	260·0	332·0	2,564·8	247·0	315·4	2,429·8	234·0	298·8	2,159·6	208·0	265·6	1,889·6	182·0	232·4	1,619·8	156·0	199·2
49	2,776·4	262·2	337·2	2,637·4	249·2	320·4	2,498·6	236·0	303·6	2,221·0	209·8	269·8	1,943·4	183·6	236·0	1,665·8	157·4	202·4
50	2,852·8	264·6	343·0	2,710·2	251·2	325·8	2,567·4	238·0	308·6	2,282·2	211·7	274·4	1,996·8	185·2	240·2	1,711·6	158·8	205·8
51	2,938·3	266·6	348·6	2,791·5	253·2	331·2	2,644·4	239·9	313·8	2,350·7	213·3	278·9	2,056·9	186·6	244·1	1,763·0	160·0	209·2
52	3,023·2	268·8	355·1	2,872·0	255·3	337·4	2,720·9	241·9	319·6	2,418·6	215·0	284·1	2,116·2	188·1	248·6	1,814·0	161·3	213·1
53	3,117·5	270·8	361·4	2,961·6	257·3	343·3	2,805·7	243·8	325·3	2,494·0	216·7	289·1	2,182·2	189·6	253·0	1,870·4	162·5	216·8
54	3,211·1	273·0	367·7	3,050·4	259·3	349·3	2,889·9	245·7	330·9	2,568·7	218·4	294·1	2,247·8	191·1	257·4	1,926·6	163·8	220·0
55	3,303·2	275·0	374·2	3,138·0	261·2	355·4	2,972·8	247·5	336·7	2,642·6	220·0	299·3	2,312·2	192·5	261·9	1,982·0	165·0	224·5
56	3,394·8	276·9	380·6	3,224·9	263·0	361·5	3,055·0	249·2	342·5	2,715·8	221·5	304·4	2,376·2	193·8	266·4	2,036·8	166·2	228·4
57	3,485·2	278·9	387·7	3,310·9	264·9	368·3	3,136·7	251·0	348·9	2,788·2	223·1	310·2	2,439·6	195·2	271·4	2,091·1	167·3	232·6
58	3,574·8	280·8	394·7	3,395·9	266·7	375·0	3,217·1	252·7	355·2	2,859·8	224·6	315·8	2,502·3	196·5	276·3	2,144·8	168·5	236·8
59	3,663·2	282·7	401·5	3,480·2	268·5	381·4	3,297·0	254·4	361·4	2,930·7	226·1	321·2	2,564·4	197·8	281·1	2,198·0	169·6	240·9
60	3,751·1	284·5	408·2	3,563.6	270·2	387·8	3,376·0	256·0	367·4	3,000·8	227·6	326·6	2,625·8	199·1	285·8	2,250·6	170·7	244·9
61	3,847·7	286·2	414·8	3,655·1	271·9	394·0	3,462·8	257·6	373·3	3,078·0	229·0	331·8	2,693·3	200·3	290·4	2,308·4	171·7	248·9
62	3,943·0	288·3	421·3	3,745·8	273·9	400·2	3,548·5	259·4	379·1	3,154·5	230·6	337·0	2,760·4	201·8	294·9	2,365·9	173·0	252·8
63	4,047·4	290·8	427·6	3,844·8	276·2	406·2	3,642·4	261·7	384·8	3,237·9	232·6	342·0	2,833·1	203·5	299·3	2,428·3	174·5	256·6
64	4,150·8	293·0	433·7	3,943·0	278·4	412·0	3,735·4	263·7	390·3	3,320·4	234·4	347·0	2,905·4	205·1	303·6	2,490·4	175·8	260·2
65	4,252·4	295·1	440·2	4,039·7	280·4	418·2	3,827·0	265·6	396·2	3,401·9	236·1	352·2	2,976·8	206·6	308·2	2,551·5	177·1	264·1

TABLE 1.—*Continued.*

Table for 2 Rails for engine loading, or alternative concentrations, incl. factor 1.40— $\frac{L}{500}$

Span in ft.	(5·00) Especial Heavy.			(4·75) Heavy.			(4·50) Class I.			(4·00) Class II.			(3·50) Class III.			(3·00) Especial Light.		
	Mom.	Shear.	F.B.R.	Mom.	Shear.	F.B.R.	Mom.	Shear.	F.B.R.	Mom.	Shear.	F.B.R.	Mom.	Shear.	F.B.R.	Mom.	Shear.	F.B.R.
66	4,353·4	297·2	446·6	4,135·8	282·3	424·2	3,917·8	267·5	401·9	3,482·6	237·7	357·3	3,047·2	208·0	312·6	2,611·9	178·3	268·0
67	4,453·0	299·9	452·8	4,230·2	284·9	430·2	4,007·6	269·9	407·6	3,562·4	239·9	362·3	3,117·1	209·9	317·0	2,671·8	179·9	271·7
68	4,551·6	302·4	459·0	4,323·8	287·3	436·0	4,096·2	272·2	413·1	3,641·3	241·9	367·2	3,186·1	211·7	321·3	2,731·0	181·5	275·4
69	4,649·2	304·8	465·0	4,416·2	289·6	441·7	4,184·0	274·4	418·5	3,719·3	243·9	372·0	3,254·4	213·4	325·5	2,789·5	182·9	279·0
70	4,745·8	307·1	471·0	4,508·1	291·7	447·4	4,270·8	276·4	423·9	3,796·4	245·7	376·8	3,322·0	215·0	329·7	2,847·3	184·3	282·6
71	4,841·2	309·2	476·8	4,599·0	293·7	453·0	4,357·0	278·3	429·1	3,872·8	247·3	381·4	3,388·9	216·4	333·8	2,904·6	185·5	286·1
72	4,936·2	311·9	482·6	4,689·5	296·3	458·4	4,442·6	280·7	434·3	3,948·9	249.5	386·0	3,455·5	218·3	337·8	2,961·6	187·1	289·6
73	5,030·6	314·4	488·2	4,779·2	298·7	463·8	4,527·8	283·0	439·4	4,024·5	251·6	390·6	3,521·8	220·1	341·7	3,018·5	188·7	292·9
74	5,125·0	316·9	493·8	4,868·5	301·0	469·1	4,612·0	285·2	444·4	4,099·8	253·5	395·0	3,587·4	221·8	345·6	3,074·9	190·1	296·3
75	5,227·8	319·2	499·6	4,966·0	303·2	474·6	4,704·6	287·2	449·6	4,182·0	255·3	399.6	3,659·4	223·4	349·7	3,136·6	191·5	299·7
76	5,329·7	321·3	505·2	5,063·2	305·2	480·0	4,796·8	289·2	454·8	4,263·8	257·0	404·2	3,730·8	224·9	353·7	3,197·8	192·8	303·2
77	5,431·4	323·3	511·0	5,160·0	307·2	483·4	4,888·2	291·0	459·9	4,345·1	258·7	408·8	3,802·0	226·3	357·7	3,258·7	194·0	306·6
78	5,532·1	325·2	516·5	5,255·9	308·9	490·7	4,979·0	292·7	464·9	4,425·8	260·1	413·2	3,872·8	227·6	361·6	3,319·2	195·1	309·9
79	5,632·4	327·0	522·0	5,350·8	310·6	495·9	5,069·2	294·3	469·8	4,506·1	261·6	417·6	3,942·8	228·9	365·4	3,379·6	196·2	313·2
80	5,732·6	328·6	527·4	5,445·9	312·2	501·0	5,159·4	295·8	474·7	4,586·0	262·9	421·9	4,012·9	230·0	369·2	3,439·6	197·2	316·5

TABLE 2,

MAXIMUM Moments, Shears and Floor-beam Re-actions Produced by Standard Loading.

CLASS II. of the Ontario Railway and Municipal Board, 1910.

These figures are exclusive of factor $1.40-\frac{L}{200}$

Figures for other classes are proportional to this table in ratio of uniform train loads.

FIGURES FOR TWO RAILS.

Span in Lineal Feet.	Max. Mom. in. ft. lbs.	Max. End. Shear:	Max. Fl. Bm. Reaction.	Equivalent Uniform Load.		
				Mom.	End Shear.	Fl. Bm. Reaction.
10	177,000	62,400	83,200	9,360	12,480	8,320
11	136,600	68,100	90,700	9,030	12,380	8,250
12	166,400	72,800	97,100	9,250	12,140	8,090
13	197,600	76,800	102,400	9,350	11,820	7,880
14	228,800	80,200	108,500	9,430	11,460	7,750
15	260,000	83,200	113,800	9,240	11,100	7,590
16	291,200	88,400	118,500	9,100	11,050	7,410
17	322,400	93,000	122,500	8,930	10,940	7,210
18	353,600	97,000	126,600	8,730	10,780	7,030
19	388,000	100,800	131,400	8,610	10,610	6,920
20	429,000	104,000	137,000	8,590	10,400	6,850
21	470,000	107,000	142,200	8,530	10,190	6,770
22	511,000	109,600	146,900	8,450	9,960	6,680
23	552,100	112,200	151,200	8,350	9,760	6,570
24	593,200	115,400	155,100	8,240	9,620	6,460
25	634,400	118,200	158,800	8,120	9,460	6,350
26	675,600	120,900	163,200	8,000	9,300	6,280
27	716,800	123,400	168,400	7,870	9,140	6,240
28	760,400	126,000	173,200	7,760	9,000	6,190
29	807,400	128,400	177,700	7,680	8,860	6,130
30	854,400	131,500	181,900	7,600	8,770	6,060
31	901,400	134,500	186,700	7,500	8,680	6,020
32	948,400	137,300	192,100	7,410	8,580	6,000
33	995,300	140,000	197,300	7,310	8,490	5,980
34	1,042,300	142,400	202,100	7,210	8,380	5,950
35	1,090,400	144,700	206,600	7,120	8,270	5,900
36	1,144,200	147,700	211,000	7,060	8,210	5,860
37	1,198,300	150,600	215,200	7,000	8,140	5,820
38	1,252,300	153,300	220,000	6,940	8,070	5,790
39	1,309,000	155,900	224,700	6,890	8,000	5,760
40	1,370,400	158,200	229,300	6,850	7,910	5,730
41	1,431,800	161,300	234,000	6,810	7,870	5,710
42	1,493,200	164,100	238,500	6,770	7,810	5,680
43	1,554,600	166,800	243,000	6,730	7,760	5,660
44	1,616,000	169,500	247,700	6,680	7,710	5,630
45	1,677,400	172,000	252,400	6,630	7,650	5,610
46	1,738,800	174,400	256,900	6,570	7,580	5,590
47	1,800,200	176,800	261,300	6,520	7,520	5,560
48	1,861,600	179,200	265,600	6,460	7,470	5,530
49	1,923,000	181,600	269,900	6,410	7,410	5,510
50	1,984,400	183,900	274,500	6,350	7,360	5,490

TABLE 2.

MAXIMUM Moments, Shears and Floor-beam Re-actions Produced by Standard Loading.

CLASS II. of the Ontario Railway and Municipal Board, 1910.

These figures are exclusive of factor 1.40—$\frac{L}{200}$

Figures for other classes are proportional to this table in ratio of uniform train loads.

FIGURES FOR TWO RAILS.

Span in Lineal Feet.	Max. Mom. in ft. lbs.	Max. End. Shear.	Max. Fl. Bm. Reaction.	Equivalent Uniform Load.		
				Mom.	End Shear.	Fl. Bm. Reaction.
52	2,121,600	188,600	...	6,280	7,260	...
54	2,273,200	193,200	...	6,240	7,160	...
56	2,424,800	197,800	...	6,190	7,060	...
58	2,576,400	202,400	...	6,130	6,980	...
60	2,728,000	206,900	...	6,060	6,900	...
62	2,894,000	211,600	...	6,020	6,830	...
64	3,074,400	217,000	...	6,010	6,780	...
66	3,254,800	222,200	...	5,980	6,730	...
68	3,435,200	228,200	...	5,940	6,710	...
70	3,615,600	234,000	...	5,900	6,690	...
72	3,797,000	240,000	...	5,860	6,670	...
74	3,980.400	246,200	...	5,820	6,650	...
76	4,180,200	252,000	...	5.790	6,630	...
78	4,382,000	257,600	...	5,760	6,610	...
80	4,586,000	263.000	...	5,730	6,580	...
82	4,796,200	268,700	...	5,710	6,560	...
84	5,008,400	274,200	...	5,680	6,530	...
86	5,223,600	279,600	...	5,650	6,500	...
88	5,449,800	285,300	...	5,630	6,480	...
90	5,678,000	290,700	...	5,610	6,460	...
92	5,908,200	296,100	...	5,590	6,440	...
94	6,140,400	301,600	...	5,560	6,420	...
96	6,374,600	307,000	...	5,530	6,400	...
98	6,612,200	312,500	...	5,510	6,380	...
100	6,861,200	318,000	...	5,490	6,360	...
105	7,523,700	331,100	...	5,460	6,310	...
110	8,231,600	343,800	...	5,450	6,260	...
115	8,998,100	356,300	...	5,440	6,200	...
120	9,797.800	368,500	...	5,440	6,140	...
125	10,610,100	380,600	...	5,430	6,090	...
130	11,445,600	392,600	...	5,420	6,040	...
135	12,309.900	404,400	...	5,400	5,990	...
140	13,186,600	416,000	...	5,380	5,940	...
145	14,075,900	427,500	...	5,360	5,900	...
150	14,986,600	439,000	...	5,330	5,850	...
160	16,877,600	461,600	...	5,270	5,770	...
170	18,818,600	483,900	...	5,210	5,690	...
180	20,810,600	506,000	...	5,140	5,620	...
190	22,901,600	527,800	...	5,080	5,550	...
200	25,042,600	549,300	...	5,010	5,490	...

TABLE 3.

Stress in Compression Members; l=length in feet, r= least radius of gyration in inches.

$\frac{l}{r}$	Flat ends.	One flat and one pin end.	Pin at both ends.	$\frac{l}{r}$	Flat ends.	One flat and one pin end.	Pin at both ends.	$\frac{l}{r}$	Flat ends.	One flat and one pin end.	Pin both ends.
3.0	14920	14440	13990	6.4	12050	10730	9670	9.6	9210	7600	6470
3.2	14790	14250	13750	6.6	11870	10510	9430	9.8	9050	7430	6310
3.4	14650	14050	13500	6.8	11680	10290	9200	10.0	8890	7270	6150
3.6	14500	13750	13250	7.0	11500	10080	8970	10.2	8730	7120	6010
3.8	14350	13640	12980	7.2	11310	9860	8750	10.4	8570	6960	5860
4.0	14190	13420	12740	7.4	11130	9660	8530	10.6	8430	6820	5720
4.2	14020	13210	12480	7.6	11050	9450	8320	10.8	8280	6670	5630
4.4	13860	12990	12220	7.8	10760	9250	8110	11.0	8130	6530	5450
4.6	13690	12760	11950	8.0	10580	9050	7910	11.2	7990	6390	5320
4.8	13510	12530	11700	8.2	10400	8860	7710	11.4	7850	6250	5200
5.0	13330	12310	11430	8.4	10230	8660	7520	11.6	7710	6120	5080
5.2	13160	12080	11170	8.6	10050	8480	7330	11.8	7570	5990	4960
5.4	12980	11850	10910	8.8	9880	8300	7150	12.0	7440	5870	4840
5.6	12800	11620	10660	9.0	9710	8110	6970	12.2	7310	5740	4730
5.8	12610	11400	10400	9.2	9540	7940	6800	12.4	7180	5620	4620
6.0	12430	11170	10150	9.4	9350	7770	6630	12.6	7050	5510	4520
6.2	12240	10950	9910								

TABLE 4.

Maximum Bending Moments on Pins with Extreme Fibre Stress of 25,000 pounds per Square Inch.

Diam. of Pin in Inches.	Area of Pin in Square Inches.	Moments in Inch-Pounds.	Diam. of Pin in Inches.	Area of Pin in Square Inches.	Moments in Inch-Pounds.	Diam. of Pin in Inches.	Area of Pin in Square Inches.	Moments in Inch-Pounds.	Diam. of Pin in Inches.	Area of Pin in Square Inches.	Moments in Inch-Pounds.
2	3.142	19600	4¼	14.186	188400	6½	33.183	674000	8¾	60.132	1644200
2⅛	3.547	23600	4⅜	15.033	205500	6⅝	34.472	713700	8⅞	61.862	1715700
2¼	3.976	28000	4½	15.904	223700	6¾	35.785	754800	9	63.617	1789200
2⅜	4.430	32900	4⅝	16.800	242800	6⅞	37.122	797500	9⅛	65.397	1864800
2½	4.909	38400	4¾	17.721	263000	7	38.485	841900	9¼	67.201	1942500
2⅝	5.412	44400	4⅞	18.665	284000	7⅛	39.871	887800	9⅜	69.029	2022300
2¾	5,940	51000	5	19.635	306800	7¼	41.282	935300	9½	70.882	2104300
2⅞	6.492	58300	5⅛	20.629	330400	7⅜	42.718	984500	9⅝	72.760	2188500
3	7.069	66300	5¼	21.648	355200	7½	44.179	1035400	9¾	74.662	2274900
3⅛	7.670	74900	5⅜	22.691	381100	7⅝	45.664	1088100	9⅞	76.590	2363500
3¼	8.296	84300	5½	23.758	408300	7¾	47.173	1142500	10	78.54	2454400
3⅜	8.946	94400	5⅝	24.850	436800	7⅞	48.707	1198700	10¼	82.52	2643100
3½	9.621	105200	5¾	25.967	466600	8	50.265	1256600	10½	86.59	2841200
3⅝	10.321	116900	5⅞	27.109	497700	8⅛	51.849	1316500	10¾	90.76	3049100
3¾	11.045	129400	6	28.274	530200	8¼	53.456	1378200	11	95.03	3266800
3⅞	11.793	142800	6⅛	29.465	564000	8⅜	55.088	1441800	11¼	99.40	3494800
4	12.566	157100	6¼	30.680	599200	8½	56.745	1507300	11½	103.87	3732800
4⅛	13.364	172300	6⅜	31.919	635900	8⅝	58.426	1574800	12	113.10	4241200

TABLE 5.

SHEARING AND BEARING VALUE OF RIVETS IN POUNDS.

RAILWAY BRIDGES.

Dia. of Rivet	Single Shear of 10000.	Shop Rivets Bearing at 20000 per Square Inch.												
		¼		⅜	7/16	½	9/16	⅝	11/16	¾	13	⅞	15/16	1
⅜	1100	1880	2340	2810										
½	1960	2500	3130	3750	4380	5000								
⅝	3070	3130	3910	4690	5470	6250	7030	7810						
¾	4420	3750	4690	5630	6560	7500	8440	9380	10310	11250				
⅞	6010	4380	5470	6570	7660	8750	9840	10940	12030	13130	14220	15310	16410	
1	7850	5000	6250	7500	8750	10000	11250	12500	13750	15000	16250	17500	18750	20000

TABLE 6.

DEDUCTIONS FOR RIVET HOLES.

Size of Rivet.	No. of Holes.	Thickness of Plate.							
		5/16	⅜	7/16		9/16	⅝	11/16	¾
⅞ in. rivet, 1 in. hole...	1	·3125	·375	·4375	0·5	·5625	·625	·6875	·75
	2	·625	·75	·875	1·0	1·125	1·25	1·375	1·5
	3	·9375	1.125	1·3115	1·5	1·6875	1·875	2·063	2·25
	4	1.25	1·5	1·75	2·0	2·25	2·5	2·75	3·0
¾ in. rivet. ⅞ in. hole...	1	·273	·328	·383	·438	·492	·545	·60	·655
	2	·547	·656	·766	·875	·984	1·09	1.20	1.31
	3	·82	·984	1·149	1·313	1.476	1.635	1·80	1.965
	4	1·09	1·31	1·53	1·75	1·97	2·19	2 41	2·63

TABLE 7.

Table for Proportioning Gear and Rack Teeth.

$$W = S\,P\,F\,Y$$

in which W is the load transmitted by the teeth, in pounds; S is the safe working stress of the material, taken at 8,000 lbs. for cast iron, and 20,000 lbs. for cast steel per square inch, when the working speed is 100 ft. or less per minute; P=pitch; F=face, in inches; Y=a factor depending on the form of the tooth, whose value for different cases is given in the following table:—

No. of Teeth.	Factor for Strength, Y.			No. of Teeth.	Factor for Strength. Y.		
	Involute, 20° Obliquity.	Involute 15° and Cycloidal.	Radial Flanks.		Involute 20° Obliquity.	Involute 15° and Cycloidal.	Radial Flanks.
12	·078	·067	·052	27	·111	·100	·064
13	·083	·070	053	30	·114	·102	·065
14	·088	·072	·054	34	·118	·104	·066
15	·092	·075	·055	38	·122	·107	·067
16	·094	·077	·056	43	·126	·110	·068
17	·096	·080	·057	50	·130	·112	·069
18	·098	.083	·058	60	·134	·114	·070
19	·100	·087	·059	75	·138	.116	·071
20	·102	·090	·060	100	·142	·118	.072
21	·104	·092	·061	150	·146	·120	·073
23	·106	·094	·062	300	·150	·122	·074
25	108	.097	.063	Rack.	·154	·124	·075

Allowable Working Stress, S, for different speeds.

——	Speed of Teeth in ft. per minute.							
	100 or less	200	300	600	900	1,200	1,800	2,400
Cast Iron.....	8,000	6,000	4,800	4,000	3,000	2,400	2,000	1,700
Steel	20,000	15,000	12,000	10,000	7,500	6,000	5,500	4,300

All gears having a pitch line speed exceeding 500 ft. per min. shall be machine cut.

TABLE 8.

RECOMMENDED.

STANDARD UPSETS FOR ROUND AND SQUARE BARS.

Round Bars.						Square Bars.					
Bar.	Upset.		Bar.	Upset.		Bar.	Upset.		Bar.	Upset.	
Diam. Inches.	Diam. Inches.	Length. Inches.	Diam. Inches.	Diam. Inches.	Length. Inches.	Side. Inches.	Diam. Inches.	Length. Inches.	Side. Inches.	Diam. Inches.	Length. Inches.
¾	1	4	2½	3	6	¾	1⅛	4	2⅛	3	6
⅞	1⅛	4	2⅝	3⅛	6⅛	⅞	1¼	4	2¼	3⅛	6½
1	1⅜	4	2¾	3¼	6½	1	1½	4	2⅜	3⅜	7
1⅛	1½	4	2⅞	3⅜	7	1⅛	1⅝	4½	2½	3½	7
1¼	1⅝	4½	3	3½	7	1¼	1¾	4½	2⅝	3⅝	8
1⅜	1¾	4½	3⅛	3⅝	8	1⅜	2	5	2¾	3⅞	8
1½	1⅞	4½	3¼	3¾	8	1½	2⅛	5	2⅞	4	8
1⅝	2	5	3⅜	3⅞	8	1⅝	2¼	5	3	4⅛	8½
1¾	2⅛	5	3½	4	8	1¾	2½	5½	3⅛	4⅜	9
1⅞	2¼	5	3⅝	4⅛	8½	1⅞	2⅝	5½	3¼	4½	9
2	2⅜	5½	3¾	4¼	8½	2	2⅞	6			
2⅛	2½	5½	3⅞	4⅜	9						
2¼	2¾	5½									
2⅜	2⅞	6									

Shape of thread.

Diameter of screw ends........................	1 in.	1⅛ in.	1¼ in.	1⅜ in. and above.
No. of threads per inch........................	8	7	7	6

Minimum excess root of thread over body of bar, 15 per cent.

TABLE 9.

SIZES OF RAILROAD BRIDGE TIES.

Canadian White and Red Pine.						Long Leaf Yellow Pine and Douglas Fir.					
Width x Depth.	Moment of Resistance	Allowable span in ft,				Width x Depth.	Moment of Resistance	Allowable span in ft.			
		Class heavy.	Class I.	Class II.	Class III.			Class heavy.	Class I.	Class II.	Class III.
8 x 8	85.3	......	......	......	6	8 x 8	85.3	......	......	......	7
8 x 10	133	......	......	7	7	8 x 10	133	7	7	7	8
8 x 12	192	7	7	7	8	8 x 12	192	8	8	9	9
10 x 8	107	......	......	......	6	10 x 8	107	7	7	7	7
10 x 10	166	7	7	7	7	10 x 10	166	8	8	8	9
10 x 12	240	7	8	8	9	10 x 12	240	9	9	10	11
10 x 14	327	9	9	9	10	10 x 14	327	10	11	12	13
10 x 16	427	10	10	11	12	10 x 16	427	13	13	14	15
12 x 8	128	......	......	......	7	12 x 8	128	7	7	7	8
12 x 10	200	7	7	7	8	12 x 10	200	8	8	9	10
12 x 12	288	8	8	9	9	12 x 12	288	10	10	11	12
12 x 14	392	9	10	10	11	12 x 14	392	12	12	13	14
12 x 16	512	11	11	12	13	12 x 16	512	14	15	16	17
12 x 18	648	12	12	14	14	12 x 18	648	16	17	18	18
12 x 20	800	14	15	16	17	12 x 20	800	18	18	......	......
12 x 22	968	16	17	18	......	12 x 22	968	......	......	......	......
14 x 8	149	......	6	7	7	14 x 8	149	7	7	8	8
14 x 10	233	7	7	8	8	14 x 10	233	9	9	10	10
14 x 12	336	9	9	9	10	14 x 12	336	11	11	12	13
14 x 14	457	10	10	11	12	14 x 14	457	13	14	15	16
14 x 16	597	12	12	13	14	14 x 16	597	16	16	18	......
14 x 18	756	14	14	16	16	14 x 18	756	18	......	......	......
14 x 20	933	16	17	18	......	14 x 20	933	......	......	......	......

TIMBER.

Requirements.

The timber used on various structures shall be of first-class long leaf yellow pine, Douglas fir, white pine, red or Norway pine or tamarac, which may be specified for the particular conditions required. It shall be sawn true and out of wind, free from wind shakes, large or loose knots, decayed or sap wood, worm holes, or other defects liable to impair its strength or durability, and shall be properly seasoned.

UNIT STRESSES.

Maximum Stresses Per Square Inch on	Tension.	Compression.			Extreme Fibre Stress.	Shearing.	
	With Grain.	End Bearing.	Column under 15 Diameters.	Across Grain.		With Grain.	Across Grain.
White Oak....................	1,600	1,100	800	500	1,000	250	1,100
Georgia Long Leaf Yellow Pine.	1,500	1,000	950	300	1,200	200	1,400
Douglas, Oregon and Yellow Fir	1,500	1,000	950	300	1,200	200	1,400
Canadian White and Red Pine..	1,100	700	600	170	800	100	600
Spruce and Eastern Fir........	1,100	700	600	170	800	100	800
Hemlock......................	1,000	600	550	150	700	90	600

For columns and struts, with flat ends, over 15 diameters,
L=length of column in inches; D=diameter in inches.

Southern Yellow Pine and Douglas Fir.	White Oak.	White Pine and Spruce.
$\frac{1{,}200}{1+\frac{L^2}{1{,}000\,d^2}}$	$\frac{1{,}000}{1+\frac{L^2}{1{,}000\,d^2}}$	$\frac{800}{1+\frac{L^2}{1{,}000\,d^2}}$

Impact to be added to above.

The above stresses for timber are for static loads, and when combined with a live load must have the impact allowance load added and the above stresses must be increased fifty (50) per cent.

TIMBER FLOORS FOR RAILWAY BRIDGES.

Ties.

All ties and guard timbers shall be of Southern long leaf yellow pine, Douglas fir, or white or red pine. They shall be proportioned for the style of steel supports, and the maximum wheel loads to be carried. These wheel loads, with impact allowance added, are to be assumed as distributed over three (3) ties. and shall not produce a fibre stress exceeding the allowable fibre stress for the timber used.

Ties shall be spaced apart not more than six (6) inches in the clear and shall be fourteen (14) feet long and secured against bunching.

On curves the ties will be framed for the elevation of outer rail, which shall be one-half (½) inch per degree of curve, and no shims will be allowed.

Ties shall be notched over the steelwork, to a close fit, at least one-half (½) inch, and not more than one and one-half (1½) inches; every fourth tie shall be fastened to the stringers by three-quarter (¾) inch hook bolts flattened at their lower ends, which shall pass also through the guard timbers when possible.

Guard timbers. There shall be four lines of guard timbers; the outer one shall be five (5) feet five (5) inches clear from the centre of the track, and shall be nine (9) inches wide by eight (8) inches deep, notched not less than one (1) inch onto the ties and secured to every fourth tie by three-quarter (¾) inch bolts with cast iron washers; the inner lines when of timber shall be three (3) feet, three (3) inches, clear from the centre line of track, and shall be eight (8) inches wide by five (5) inches deep, notched one (1) inch onto the ties, and shall be secured to every fourth tie by three-quarter (¾) inch bolts. The guard timbers shall be spiked to intermediate ties with spikes seven-eighths (⅞) inch square by eight (8) inches long. The inner guards shall curve into the outer ones at rear of abutments and shall be secured to them by five-eighths (⅝) inch bolts.

The upper corner of the inner guard next the rail shall be protected by an angle 3 x 3 x ⅜ inches, fastened to the timber with seven-sixteenths (7-16) inch spikes countersunk in the angle, or three-eighths (⅜) inch wood screws four (4) inches long, spaced six (6) inches from the ends and eighteen (18) inches at intermediate points. The holes in the angles must be slotted for contraction and expansion, and countersunk for the screw or spike heads to be flush with the surface of the angle.

Guard timbers shall be spliced with a half and half joint when such is required; the lap of the joint shall be six (6) inches with a five-eighths (⅝) inch bolt at centre, the holes to be bored one-quarter (¼) inch larger to allow for expansion.

Steel rails may be substituted for inner guard timbers.

TIMBER FLOORS FOR ELECTRIC RAILWAY BRIDGES.

Ties. The floor system shall be of similar construction to that for steam railways. The ties shall not be less than (5) inches by seven (7) inches, and not less than ten (10) feet in length, and spaced not over six (6) inches in the clear. They shall be notched not less than one-half (½) inch upon the girders or stringers, and every fourth tie shall be secured to them by three-quarter (¾) inch hook bolts. When resting upon girders or trusses with cover plates, they shall be grooved for the rivet heads, and notched the depth of the plate.

Ties resting on wooden stringers shall be securely bolted or spiked to them. On each side of the floor, near the ends of the ties a guard timber shall be placed, not less than six (6) inches by six (6) inches, notched one (1) inch over the ties, and bolted to every third tie by a three-quarter (¾) inch bolt. Guard timbers.

Inner guards shall be steel rails extending to such a distance beyond the abutments as the Engineer may direct, and coming to a point in the centre of the track, being protected by a frog point at each end. These guards shall be eight (8) inches clear of the inside of the track rail and spiked to every tie. Inner guards.

TIMBER PILE TRESTLES.

The height of timber pile trestles should rarely exceed thirty (30) feet. Height.

The bents should contain four (4) piles each at least. When not exceeding ten (10) feet in height, the piles may be driven vertically, and the sway bracing may be omitted, provided the piles have a good penetration in firm ground. Bents.

For heights exceeding ten (10) feet the two outer piles of the bent should be battered from two (2) to three (3) inches to each vertical foot. Batter.

There shall be one or two sets of diagonal bracing for each bent, each set being composed of two (2) three (3) inch by ten (10) inch yellow pine diagonals, securely bolted to the piles where they cross them by three-quarter (¾) inch bolts and cast washers. The piles when irregular in size must be adzed off to make the bracing fit. Diagonal bracing.

The piles shall be cut from good sound live trees, of oak, rock elm, Douglas fir, tamarac, cedar, or other suitable wood, as the Engineer may direct. They must be sound, straight, thoroughly free from wind shakes, wanes, large, loose black or decayed knots, cracks, or worm holes, or from all signs of decay, and stripped of all bark. If square piles are used, they must be hewn and not sawn, and as free as possible from axe marks. They must be at least twelve (12) inches square on the face, and must not show more than two (2) inches of sap across the corners. Round piles shall never be less than nine (9) inches at the smallest end, or tip, their large diameter depending upon the length of pile. They shall be so straight that a line stretched from one end to the other shall show that the pile is never out of a straight line more than one-third (⅓) of the diameter at any point. The piles must show an even and gradual taper from end to end, and the tips shall be pointed as the Engineer shall direct. Should they be liable to encounter boulders or other obstructions likely to injure them, the points shall be shod with iron. Should the heads show signs of injury under driving, the top shall be protected by a heavy wrought iron band. All piles must be driven to the exact dimensions shown on the drawings and to exact line, and cut off to a true level, so the caps will bear evenly upon all the piles Piles.

of the bent. Those piles injured or driven out of line or place, shall either be cut off or withdrawn as required by the Engineer, and others shall be driven in their place. If the heads of the piles exceed in width that of the cap, they shall be adzed off flush with the cap on each side. Those piles under the stringers shall be driven vertically and the battered piles shall be driven to the exact angle shown on the plan.

Caps. All caps are to be of the exact size shown on the drawing and no variation of dimensions will be allowed. They shall be drift bolted securely to the head of each pile with bolts seven-eighths (⅞) inch diameter, and of such a length as to penetrate the head at least eight (8) inches. Caps shall be generally twelve (12) inches by fourteen (14) inches deep, by fourteen (14) feet long.

Span between bents. For ordinary trestles, and for heights up to twenty-two (22) feet, the bents shall be generally about fourteen (14) feet apart, centre to centre; for greater heights, the same length may be used, or every alternate panel may be increased to twenty-eight (28) feet, in which case the stringers must be properly trussed with steel rods.

Stringers. There shall be not less than three (3) lines of stringers under each rail, generally about sixteen (16) inches deep, and proportioned for the fibre stresses, impact included, as specified. Where practicable, the stringers shall extend over two bents, and shall break joint with one another at the caps. The timbers shall be separated from one another at the panel points, by packing blocks, three (3) inches thick and six (6) feet long and sufficiently deep to notch over the cap three (3) inches. These packing pieces shall have at least four (4) bolts, three-quarter (¾) inch diameter, through them into the stringers, and shall be separated from these by cast iron washers one (1) inch thick on each side of the packing piece. Intermediate cast iron separators shall be used about every five (5) feet apart, and bolted to the stringers with three-quarter (¾) inch bolts.

Where long stringers are impracticable, the outside line shall be butted on the cap and the inside lines lapped over the caps, and the whole bolted together with three-quarter (¾) inch bolts and cast washers, and cast separators as above specified between the timbers. The stringers shall be bolted to the cap with seven-eighth (⅞) inch drift bolts of such length as to penetrate eight (8) inches into the cap.

Floor system. The floor system shall be as previously specified for steel spans, except that in the place of hook bolts, every fourth tie shall have a three-quarter (¾) inch bolt with cast washers passing through it and the stringer, and the intermediate ties shall be spiked to the stringers. Guard timbers shall be bolted to the ties, and where possible, the bolts shall take in the stringer as well.

Bracing. For pile trestles in firm soil up to ten (10) feet in height, diagonal transverse bracing will be used as specified, but longitudinal bracing will not be necessary, unless the piles are not firmly driven, or held by the soil, in which case it shall be used in every fifth panel; for heights from ten (10) feet to twenty-two (22) feet, single deck longitudinal and transverse bracing shall be used, the former in every fifth panel, to resist the train thrust. For greater heights, double deck longitudinal and transverse bracing shall be used with horizontal struts at the intersection; the longitudinal bracing being put in alternate panels. Trestles on curves shall have in addition to the above a lateral system of timber diagonals spiked to caps and bottoms of stringers. All bracing shall be proportioned to take the maximum stresses from the different forces acting on it.

FRAMED TRESTLES.

Framed trestles shall rest on mud sills, masonry or concrete piers, or piles cut off near the ground level to receive them.

Framing. All framing shall be done to a close fit and in a thorough and workmanlike manner. No blocking or shimming will be allowed under any circumstances whatever, and open joints will not be accepted anywhere on the work.

Sills and posts. The sills and posts shall be of squared timber; the sills will generally be twelve (12) inches square in section, and of sufficient length to project at least twelve (12) inches beyond the foot of the outer post; the posts shall be twelve (12) inches on one face, and of sufficient section to take care of all maximum loading with impact added, at specified unit stresses. The outer posts shall have a rake, or batter, of two (2) to three (3) inches per vertical foot, and shall be drift bolted to the sills and caps by seven-eighths (⅞) inch drift bolts going at least eight (8) inches into the posts. The intermediate posts under the stringers shall be vertical, and shall be similarly fastened to the sills and caps.

Bracing. Each bent will have transverse diagonal bracing as specified for pile bents, and longitudinal bracing of the same kind as for pile trestles. The bents shall be spiked securely to the mud sills, or pile foundations, or bolted to the masonry with anchor bolts and cast washers.

Caps. Caps shall be of the same size as for pile trestles.

Joints. The ends of all posts, piles, and surfaces of timber in contact with masonry, or other timbers, must be thoroughly painted with hot creosote oil, and covered with a good coat of hot asphaltum. All holes of any kind bored in the timber for bolts, shall be similarly treated, and all washers and bolts shall be dipped in a vat of the same preparation.

Holes. Holes for bolts three-quarters (¾) inch or more are to be bored one-eighth (⅛) inch less in diameter than the size of the bolts; for smaller sizes, one-sixteenth (1-16) inch less will be sufficient.

Bolts and washers. All bolts shall be of soft steel or iron of the same quality specified for soft steel or iron. Screw bolts shall be provided with standard nuts and threads; the thickness of nut shall not be less than the diameter of the rod from which the bolt is made; the heads of bolts must all be of the same size as the nuts required for the screw ends, and the side of the square shall not be less than twice the diameter of bolt. All bolts and drift bolts shall be straight before being driven, and the nuts must bear evenly and tightly against the washers.

The washers shall be cast iron of good quality, as previously specified, and of standard size and heavy enough to distribute effectively the greatest allowable tension in the bolts over their area. They must be neatly finished and free from air holes, cracks, or any other defects. All separators shall be of cast iron of the same quality and finish.

Clearing the site.

All rubbish, brush, trees, or other obstructions within the right of way must be cleared off the site before work is commenced, for its full width, and either burned or removed therefrom as the Engineer shall direct.

Dated this 6th day of January, A.D. 1910.

James Leitch,
Chairman.

A. B. Ingram,
Vice-Chairman.

H. N. Kittson,
Member.

ACTS AND MEMO. OF SEVERAL ACTS UNDER WHICH THE BOARD EXERCISE JURISDICTION.

Annexation of Territory to Municipality.
Section 1, cap. 34, 1906, as amended by,
Section 1, cap. 48, 1908.

Area of Town or Village limited.
Section 12, cap. 19, 1903.

Assessment Appeals.
Section 76, cap. 23, 1904.
Section 51 and 52, cap. 31, 1906.
R.S.O., section 41 to 46, cap. 225, 1897.
And cap. 24, 1905.

Approval of By-law increasing rate of Interest on Debentures.
Section 11, cap. 22, 1904, "388*b*."

By-law to change mode of issuing Debentures.
Section 8, cap. 40, 1907.

By-law for laying Pipes or Conduits for Electric Wires.
Section 13, cap. 40, 1907.

By-laws affecting Public Roads.
Section 632, ss. 2, cap. 19, 1903.
Section 53, ss. 3, cap. 31, 1906.

By-laws, Approval of certain City Bridges.
Section 388*a*, cap. 19, 1903.

By-laws, Approval of extension of Waterworks, Electric Light plant, or Gas Works.
Section 569, cap. 19, 1903, as amended by
Section 21, cap. 34, 1906.
Section 53, cap. 31, 1906, s.s. (*d*).
Section 15, cap. 40, 1907.
Section 22, cap. 73, 1909.

County Boundary Lines settlement of Disputes.
Sections 26, 27 and 28, cap. 40, 1907.

Consolidation of floating Debt or Consolidation or renewal of Debentures.
Rule 61*a*, page 421. Votes and Proceedings of Legislative Assembly, 27th March, 1907.

Mortgages to be deposited with Board.
Section 60, cap. 7, 1903.
Section 44, ss. 4, cap. 30, 1906.
Sections 41 and 42, cap. 33, 1908.

Investment of Sinking Fund.
Section 420, cap. 19, 1903.
Section 53, cap. 31, 1906.

An Act to Supplement the Revenues of the Crown. Tax Rolls and Appeals.
Section 13, ss. 3 to 8, cap. 9, 1907.
Section 20, cap. 9, 1907.
Section 32, ss. 3, cap. 9, 1907.

An Act respecting Local Municipal Telephone systems—Fixing Government Standard for System.
Section 14, cap. 49, 1908.

An Act respecting Municipal Securities.
Cap. 51, 1908.
Cap. 76, 1909.

The Ontario Railway Act 1906.
Cap. 30 and amendments.

The Ontario Railway and Municipal Board Act 1906.
Cap. 31 and amendments.

LIST 1.

ONTARIO ELECTRIC AND STEAM RAILWAYS THAT ARE UNDER THE JURISDICTION OF THE ONTARIO RAILWAY AND MUNICIPAL BOARD, THE TEMISKAMING AND NORTHERN ONTARIO RAILWAY COMMISSION, AND THE NIAGARA FALLS PARK COMMISSIONERS.

B.

Berlin and Waterloo Street Railway Company.

1. Ontario Statute, 1886.
   Incorporated by Letters Patent, 6th August, 1886, and March 15th, 1893.
   See Ontario Statutes, 1872, cap. 63.

Berlin and Bridgeport Electric Ry. Company.

Brantford Street Railway Company.

1. Ontario Statute. (1897, cap. 73.)
   Act to incorporate.
   See Grand Valley Railway Company, also Woodstock, Thames Valley and Ingersoll Electric Ry. Co.

C.

Cornwall Street Railway Company.

1. The Cornwall Street Railway, Light and Power Co., Ltd., incorporated by Letters Patent, dated April 18th, 1902.

G.

Guelph Railway Company.

1. Ontario Statute. (1895, cap. 98.)
   Act to incorporate and to confirm an agreement between the Corporation of the City of Guelph and George Sleeman.
2. Ontario Statute. (1901, cap. 79.)
3. Ontario Statute. (1903, cap. 95.)
   Act respecting the Guelph Ry. Co. and to change the name of the Company to that of the Guelph Radial Ry. Co.
4. Ontario Statute. (1905, cap. 91.)
   Act respecting the Guelph R. Ry. Co., and to confirm a by-law of the Corporation of the City of Guelph.
5. Ontario Statute. (1908, cap. 125.)

H.

Hamilton Street Railway Company.

1. Ontario Statute. (1873, cap. 100.)
   Act to incorporate.
2. Ontario Statute. (1893, cap. 90.)

Hamilton and Dundas Street Railway Company.

1. Ontario Statute. (1875-76, cap. 87.)
   Act to incorporate.
2. Ontario Statute. (1897, cap. 59.)
   Act to amend the Act incorporating the Hamilton and Dundas Ry. Co.
3. Ontario Statute. (1881, cap. 65.)
4. Ontario Statute. (1884, cap. 68.)
5. Ontario Statute. (1886, cap. 68.)
6. Ontario Statute. (1890, cap. 119.)
7. Ontario Statute. (1895, cap. 100.)
8. Ontario Statute. (1898, cap. 60.)

Hamilton, Grimsby and Beamsville Electric Railway Company.

1. Ontario Statute. (1892, cap. 95.)
   Act to incorporate.
2. Ontario Statute. (1897, cap. 87.)
   An Act to confirm the agreement between the Hamilton, Grimsby & Beamsville El. Ry. Co., and the City of Hamilton.
3. Ontario Statute. (1901, cap. 80.)
   Act to amend the Act incorporating the H., G. & B. El. Ry. Co.
4. Ontario Statute. (1904, cap. 76.)

Huntsville and Lake of Bays Railway Company.

1. Ontario Statute. (1900, cap. 113.)
   Act to incorporate.
2. Ontario Statute. (1903, cap. 97.)
3. Ontario Statute. (1904, cap. 18.)
   Subsection 1.
4. Ontario Statute. (1906, cap. 19.)
   Section 39.
   This line is constructed from the north end of Lake of Bays to the south end of Peninsula Lake, in the District of Muskoka.

It connects two lakes, is a narrow gauge railway, operated by steam. 1½ miles in length.

I.

International Transit Company.

1. Ontario Statute. (1903, cap. 99.)
   Incorporated by Letters Patent, 22nd May, 1888, under provisions of Joint Stock Companies' Act, cap. 157, R.S.O., 1897, etc.

International Ry. Co.

See N. F. P. & R. Ry.

Irondale, Bancroft and Ottawa Railway Company.

(Formerly Toronto & Nipissing Eastern Extension Ry. Co.).

1. Ontario Statute. (1880, cap. 67.)
   Act to incorporate.
2. Ontario Statute. (1881, cap. 75.)

3. Ontario Statute. (1884, cap. 76.)
   Name changed to Irondale, Bancroft & Ottawa Ry. Co.
4. Ontario Statute. (1886, cap. 69.)
5. Ontario Statute. (1887, cap. 74.)
6. Ontario Statute. (1888, cap. 68.)
7. Ontario Statute. (1890, cap. 121.)
8. Ontario Statute. (1892, cap. 41.)
   Sections 4 and 6.
9. Ontario Statute. (1893, cap. 34.)
   Ss. 1 of secs. 1 and 4.
10. Ontario Statute. (1894, cap. 49.)
    Ss. 1 of sec. 1 and 5.
11. Ontario Statute. (1895, cap. 103.)
12. Ontario Statute. (1896, cap. 48.)
    Ss. 1 of sec. 1 and 5.
13. Ontario Statute. (1898, cap. 22.)
    Ss. 3 of sec. 1.
14. Ontario Statute. (1901, cap. 81.)
15. Ontario Statute. (1902, cap. 25.)
    Subsidy Act. Ss. 3 of sec. 1 and 2.
16. Ontario Statute. (1904, cap. 78.)
17. Ontario Statute. (1905, cap. 94.)
18. Ontario Statute. (1907, cap. 23.)
    Payment of subsidy extended to 1910, sec. 49.

K.

Kingston Street Railway Company.

1. Ontario Statute. (1875-76, cap. 74.)
   Act to incorporate.
2. Ontario Statute. (1893, cap. 91.)
   Act to amend the Act to incorporate the Kingston St. Ry. Co., and to change the name to "The Kingston, Portsmouth & Cataraqui Street Railway Company."
3. Ontario Statute. (1904, cap. 79.)
   See The Kingston, Portsmouth & Cataraqui St. Ry. Co.

Kingston, Portsmouth and Cataraqui Street Railway Company.

1. Ontario Statute. (1875-76, cap. 74.)
   Act to incorporate.
2. Ontario Statute. (1893, cap. 91.)
   Act to amend the Act to incorporate the Kingston Street Ry. Co., and to change the name to "The Kingston, Portsmouth & Cataraqui Street Ry. Co."
3. Ontario Statute. (1895, cap. 105.)
4. Ontario Statute. (1898, cap. 61.)
5. Ontario Statute. (1904, cap. 79.)
6. Ontario Statute. (1906, cap. 111.)

L.

London Street Railway Company.

1. Ontario Statute. (1873, cap. 99.)
   Act to incorporate.
2. Ontario Statute. (1889, cap. 79.)
3. Ontario Statute. (1894, cap. 89.)
   An Act to confirm an agreement between the London St. Ry. Co. and the Corporation of the Village of London West.
4. Ontario Statute. (1895, cap. 107.)
5. Ontario Statute. (1896, cap. 105.)
6. Ontario Statute. (1897, cap. 67.)
7. Ontario Statute. (1899, cap. 97.)
8. Ontario Statute. (1902, cap. 82.)
9. Ontario Statute. (1905, cap. 98.)

M.

Metropolitan Railway Company.

1. See Toronto & York Radial Ry. Co.

N.

Niagara Falls Park and River Railway Company.

1. Ontario Statute. (1892, cap. 96.)
   Act to incorporate.
2. Dominion Statute. (1900, cap. 54.)
   Power to acquire N. F. P. & R. Ry. Co.
3. Ontario Statute. (1901, cap. 86.)
   See Dominion Statute, 1900, cap. 54.
   An Act respecting the Buffalo Ry. Co., also 1902, cap. 43, respecting the International Ry.

O.

Ottawa City Passenger Railway Company. (Afterwards The Ottawa Electric Railway Co.)

1. Statute of Canada. (1866.)
   Act to incorporate.
2. Ontario Statutes. (1868, cap. 45.)
   An Act to amend the Act intituled, "An Act to incorporate the Ottawa City Passenger Ry. Co."
3. Ontario Statute. (1891.)
   Ottawa Electric Street Railway Co. was on the 13th day of February, 1891, incorporated by Letters Patent, under the Joint Stock Companies Act and Street Railway Act.
4. Dominion Statute. (1892, cap. 53.)
   Declared to be a work for the general advantage of Canada, but the operation of so much of the Company's line of railway as may be within the Province of Ontario by any new or additional powers conferred by this Act. shall be subject to the Statutes of Ontario in force from time to time in relation to street railways.

5. Ontario Statute. (1894, cap. 76.)
   Act to confirm an agreement between the City of Ottawa and the Ottawa City Passenger Ry. Co., and the Ottawa Electric St. Ry. Co.
6. Dominion Statute. (1894, cap. 86.)
   An Act to confirm an agreement between the Ottawa City P. Ry. Co. and the Ottawa El. St. Ry. Co., and an agreement between the said companies and the Corporation of the City of Ottawa and to unite said Companies under the name of "The Ottawa Electric Railway Company.
7. Dominion Statute. (1899, cap. 82.)
8. Dominion Statute. (1903, cap. 171.)
9. Dominion Statute. (1905, cap. 140.)
   See Metropolitan Railway of Ottawa, "28 August, 1891, Ont., Letters Patent."

P.

Port Arthur and Fort William Railway Company.

1. Ontario Statute. (1891, caps. 78 and 93.)
   Act to incorporate.
   See Ontario Statutes, 1892, cap. 82, and cap. 70, sec. 20, also 1893, cap. 78, intituled "An Act respecting the Town of Port Arthur," also cap. 73, 1895, "An Act respecting the Town of Port Arthur," cap. 73, 1899, "An Act respecting the Town of Port Arthur," cap. 65, 1901, "An Act respecting the Town of Port Arthur," cap. 76, 1903, "An Act respecting the Town of Port Arthur."
2. Ontario Statute. (1908, cap. 80.)
   Re arbitration of part of line in Fort William.
3. Ontario Statute, cap. 106, 1909.
4. Ontario Statute, cap. 118, 1909.

Peterborough Radial Railway Company.

1. Ontario Statute. (1902, cap. 91.)
   Act to incorporate.
2. Ontario Statute. (1906, cap. 116.)
3. Ontario Statute, cap. 142, 1909.

Port Dalhousie, St. Catharines and Thorold Electric St. Railway Company.

1. Ontario Statute. (1893.)
   Incorporated by Letters Patent 28th June, 1893.
2. Ontario Statute. (1902, cap. 93.)

S.

Sarnia Street Railway Company.

1. Ontario Statute. (1874, cap. 61.)
   Act to incorporate.
2. Ontario Statute. (1902, cap. 95.)
3. Ontario Statute. (1903, cap. 114.)
4. Ontario Statute. (1908, cap. 107.)

Sandwich and Windsor Passenger Railway Company. (Afterwards the Sandwich, Windsor & Amherstburg Ry. Co.).

1. Ontario Statute. (1871-72, cap. 64.)
   Act to incorporate.
2. Ontario Statute. (1874, cap. 64.)
   An Act to extend the time for the completion of the Sandwich and Windsor Passenger Ry.
3. Ontario Statute. (1887, cap. 80.)
   Act to amend the Act incorporating the Sandwich and Windsor Passenger Ry. Co.
4. Ontario Statute. (1891, cap. 94.)
   Act to further amend the Acts relating to the Sandwich, Windsor & Amherstburg Ry. Co.
5. Ontario Statute. (1893, cap. 97.)
   Act to amend the Acts relating to the Sandwich, Windsor & Amherstburg Ry. Co.
6. Ontario Statute. (1898, cap. 62.)
7. Ontario Statute. (1902, cap. 94.)
   Transfer by South Essex Electric Ry. Co. authorized.
8. Ontario Statute. (1903, cap. 112.)
   Act respecting the Sarnia, Windsor & Amherstburg Ry. and the City Railway Company, of Windsor.
   The City Railway Co., of Windsor, was incorporated under the provisions of "The Street Railway Act, R.S.C., 208."
9. Ontario Statute. (1904, cap. 88.)
   Transfer from City Co. to Sandwich Co. authorized.
10. Ontario Statute. (1905, cap. 39.)
    An Act respecting the Town of Amherstburg.

South-Western Traction Company.

1. Ontario Statute. (1902, cap. 96.)
   Act to incorporate.
2. Ontario Statute. (1903, cap. 115.)
3. Ontario Statute. (1904, cap. 89.)
4. Ontario Statute. (1906, cap. 121.)
5. Ontario Statute. (1908, cap. 136.)
   Purchased charter of Middlesex and Elgin Inter-Urban Ry. Co.
6. Ontario Statute. (cap. 146, 1909.)

St. Thomas Street Railway Company.

1. Ontario Statute. (1878, cap. 53.)
   Act to incorporate.
2. Ontario Statute. (1898, cap. 51.)
   Act respecting the City of St. Thomas and the St. Thomas Street Ry. Co.
3. Ontario Statute. (1903, cap. 111.)

T.

Temiskaming and Northern Ontario Railway.

1. Ontario Statute. (1902, cap. 9.)
   Act to authorize the construction of the T. & N. O. Ry.
2. Ontario Statute. (1903, cap. 4.)
   Act to amend the T. & N. O. Ry. Act.

3. Ontario Statute. (1904, cap. 7.)
   Act to amend the T. & N. O. Ry. Act.
4. Ontario Statute. (1905, cap. 10.)
   Act to amend the T. & N. O. Ry. Act.
5. Ontario Statute. (1906, cap. 14.)
   Act to amend the T. & N. O. Ry. Act.
7. Ontario Statute. (Cap. 18, 1909.)

Toronto Street Railway Company.

1. Statutes of Canada. (1861, cap. 83.)
   Act to incorporate.
2. Ontario Statute. (1868-69, cap. 81.)
   Act for the relief of the Toronto St. Ry. Co., and to provide for the sale of their Ry. and for other purposes.
3. Ontario Statute. (1873, cap. 101.)
   Act to remove certain doubts as to the powers of the proprietors of the Toronto St. Ry., and to incorporate them and others under the name of " The Toronto Street Railway Co.," and for other purposes.
4. Ontario Statute. (1875-76, cap. 63.)
   Act respecting the City of Toronto, the Toronto St. Ry. Co., and other matters.
5. Ontario Statute. (1877, cap. 85.)
6. Ontario Statute. (1884, cap. 77.)
   Act to authorize the Toronto St. Ry. Co. to issue mortgage debentures and for other purposes.
7. Ontario Statute. (1886, cap. 80.)
   Act to amend the Acts relating to the Toronto Street Ry. Co.
8. Ontario Statute. (1889, cap. 73.)
   Power to borrow for purchase of Toronto St. Ry.
9. Ontario Statute. (1890, cap. 127.)

9 (*a*). Ontario Statute. (1890, cap. 105.)
   Act respecting the City of Toronto and the Toronto St. Ry.

Toronto Railway Company.

1. Ontario Statute. (1892, cap. 99.)
   Act to incorporate the Toronto Railway Co. and confirm an agreement between the Corporation of the City of Toronto and George W. Kiely, William McKenzie, Henry A. Everett and Chauncey W. Woodworth.
2. Ontario Statute. (1893, cap. 85.)
3. Ontario Statute. (1893, cap. 101.)
4. Ontario Statute. (1894, cap. 93.)
5. Ontario Statute. (1897, cap. 81.)
6. Ontario Statute. (1900, cap. 103.)
7. Ontario Statute. (1904, cap. 93.)
8. Ontario Statute. (1908, 112.)

Toronto and York Radial Railway Company.

1. Ontario Statute. (1898, cap. 66.)
   Act to incorporate.
2. Ontario Statute. (1906, cap. 124.)
   Act respecting the T. & Y. R. Ry. Co.
3. Ontario Statute.
   Act respecting the Toronto & Scarboro' Electric Ry. Light & Power Co.

4. Ontario Statute. (1898, cap. 65.)
   Act to amend the Act of incorporation of the Toronto & Scarboro' El. Ry., L. & P. Co.
5. Ontario Statute. (1891, cap. 96.)
   Act respecting the Toronto & Mimico El. Ry. & Light Co.
6. Ontario Statute. (1892, cap. 98.)
7. Ontario Statute. (1903, cap. 118.)

Metropolitan Street Railway Company.

1. Ontario Statute. (1877, cap. 84.)
   Act to incorporate.
2. Ontario Statute. (1893, cap. 94.)
3. Ontario Statute. (1895, cap. 108.)
4. Ontario Statute. (1897, cap. 92.)
   See Toronto & York Radial Ry. Co., 1898, cap. 66.
5. Ontario Statute. (1900, cap. 116.)
6. Ontario Statute. (1901, cap. 84.)

Toronto and Mimico Railway Company.

1. Incorporated by Letters Patent, 14 November, 1890.
2. Ontario Statute. (1904, cap. 92.)
   Act respecting the Township of Toronto and the Toronto and Mimico Ry. Co.

Toronto Suburban Railway Company.

1. Ontario Statute. (1894, cap. 94.)
   Act to incorporate.
2. Ontario Statute. (1900, cap. 103.)
   Section "1."
3. Ontario Statute. (1900, cap. 124.)
4. Ontario Statute. (1901, cap. 91.)
5. Ontario Statute. (1904, cap. 94.)
   See Metropolitan Street Ry. Co. and Toronto & York Radial Ry. Co., also Toronto & Mimico Electric Ry., also Toronto & Scarboro' Electric Ry.

Windsor and Tecumseh Electric Railway Company.

1. Ontario Statute. (1904, cap. 96.)
   Act to incorporate.
   Power other than steam.
2. Ontario Statute. (1905, cap. 111.)
   See Ontario Traction Co., agreement with.
   Line operated by the Sandwich, Windsor & Amherstburg Ry.

Woodstock, Thames Valley and Ingersoll Electric Railway Company.

1. Ontario Statute. (1900, cap. 127.)
   Act to incorporate.
2. Ontario Statute. (1902, cap. 98.)
   Act to amend the Act incorporating the Woodstock, Thames Valley & Ingersoll El. Ry. Co.
   See Grand Valley and Brantford Street Rys.

Number.	Name of Company.	Length of line.		No. of power houses.		Jurisdiction.			Incorporated.		Electric or Steam.		Remarks.
		Constructed.	Under construction.	Steam power.	Water power.	Dominion.	Provincial.	Doubtful.	Special Act.	Letters patent.	Electric.	Steam.	
1	Berlin and Waterloo............3.02	5.52	....	1	.....	......	1	......	......	1	1	......	Power purchased from Berlin light commissioners.
2	Berlin and Bridgeport........ ..2.50												
3	Brantford Street	7	....	1	......	......	1	......	1	......	1		
4	Cornwall Street.....................	6.5	....	1	1	......	1	......	......	1	1		
5	Guelph Radial	6	....	1	......	......	1	......	1	......	1	......	Owned and controlled by municipality.
6	Galt, Preston and Hespeler ....9.00 Leased line— Preston to Berlin 7.25	16.25	....	1	......	......	1	......	......	1	1		
7	Hamilton Street	21.807	....	......	......	......	1	......	1	......	1	......	Power supplied by Cataract Power Company.
8	Hamilton and Dundas	7.25	....	......	......	......	1	......	1	......	1	......	Power supplied by Cataract Power Company.
9	Hamilton, Grimsby and Beamsville	27.5	....	1	......	......	1	......	1	......	1		
10	Huntsville and Lake of Bays........	1.5	....	......	.....	......	1	......	1	......	......	1	
11	International Trust Company	3.3	....	......	......	......	1	......	......	1	1	......	Sault Ste. Marie rent 300 h.p. from Lake Superior Power Company.
12	Irondale, Bancroft and Ottawa......	45.	....	......	......	......	1	......	1	......	......	1	
13	Kingston, Portsmouth and Cataraqui	8	....	1	......	......	1	......	1	......	1	......	Power purchased from City of Kingston.
14	London Street	33.3	....	1	......	......	1	......	1	......	1	......	
	Metropolitan (*see* Toronto and York Radial).........................												
15	Niagara Falls and Park River	11.85	....	1	1	......	1	......	1	......	1	.. ..	Operated by International Ry. and subject to Park Commissioners.
16	Ottawa Electric...	22.87	....	......	1	1	1	1	1	1	1	......	Jurisdiction divided.
17	Port Arthur and Fort William Electric	9.5	....	......	1	......	1	......	1	......	1	......	Owned and controlled by municipality of Pt. Arthur and Fort William.
18	Peterborough Radial.........	6	....	......	2	......	1	......	1	......	1	......	Power obtained from Peterborough Hydraulic Power Company.

Number.	Name of Company	Length of line.		No. of power houses.		Jurisdiction.			Incorporated.		Electric or Steam.		Remarks.
		Constructed.	Under construction.	Steam power.	Water power.	Dominion.	Provincial.	Doubtful.	Special Act.	Letters patent.	Electric.	Steam.	
19	Port Dalhousie, St. Catharines and Thorold Electric Street..........	6.5	....	......	......	......	......	1	......	......	......	......	Jurisdiction divided.
20	Sarnia Street......................	8	....	1	......	......	1	......	1	.....	1	......	Power hired.
21	Sandwich, Windsor and Amerstburg.	25.184	....	1	......	......	1	......	1	......	1	.....	Operates Windsor & Tecumseh El. Ry.
22	South-Western Traction	29.1	....	1	......	......	1	......	1	......	1	......	Constructed to Port Stanley but not finally inspected.
23	St. Thomas Street..................	7.5	....	1	......	......	1	......	1	......	1	......	Owned and controlled by municipality.
24	Temiskaming and Northern Ontario .	266	....	......	......	......	1	......	1	......	.....	1	Under control of Temiskaming and Northern Ontario Railway Commission.
25	Toronto Street.................. .	106.994	....	1	......	......	1	......	1	......	1	......	Three stations and obtains power from Niagara Falls. Mileage does not include tracks in sheds and yards.
26	Toronto and York Radial—												
	" Metropolitan Branch	51.5	....	2	......	......	1	......	1	......	1	......	A. C. station at Newmarket fed from Bond Lake
	" Mimico Branch......	10	....	......	...	......	1	......	1	.....	1	......	Power hired.
	" Scarboro Branch	10	....	......	......	......	1	......	1	......	1	......	"
27	Toronto Suburban..................	9	....	1	......	.....	1	......	1	......	1	......	
28	Windsor and Tecumseh	10	....	......	......	......	1	......	1	......	1	......	Leased and operated by the Sandwich, Windsor and Amherstburg.
29	Woodstock, Thames Valley and Ingersoll	11.5	....	1	......	......	1	......	1	......	1	......	
	Total mileage	790.425											

INDEX TO RAILWAY LEGISLATION.

List 2.

The following index has been made with the object of continuing in chronological order all the legislation passed by both the Dominion and Provincial Governments since 1867, affecting railways situate wholly or partially within the Province of Ontario.

"List No. 2" was commenced on page 323 of our third Annual Report.

Abitibi and Hudson Bay Railway Company:		
Dominion Statute Act respecting.	38	1909
Algoma Central and Hudson Bay Railway Company:		
Dominion Statute Act respecting.	40	1909
Ontario Statute Act respecting.	70	1909
Arnprior and Pontiac Railway Company:		
Dominion Statute Act to incorporate.	44	1909
Belleville Radial Railway Company:		
Ontario Statute Act to incorporate.	129	1909
Brockville, Westport and Northwestern Railway Company:		
Dominion Statute Act respecting.	55	1909
Bruce Mines and Algoma Railway Company:		
Ontario Statute Sec. 1 (*a*), Sec. 2 (*a*), Sec. 4 (*b*).	69	1909
Campbellford, Lake Ontario and Western Railway Company:		
Dominion Statute Act respecting.	90	1908
Canada Central Railway Company:		
Ontario Statute Act respecting.	130	1909
Canadian Northern Railway Company:		
Dominion Statute Act respecting.	92	1908
Canadian Northern Ontario Railway Company:		
Dominion Statute Act respecting.	93	1908
Dominion Statute Act respecting.	63	1909
Ontario Statute Act respecting.	71	1909
Canadian Northern Quebec Railway Company:		
Dominion Statute Act respecting.	94	1908
Dominion Statute Act respecting.	64	1909

Canadian Pacific Railway Company and The Grand Trunk Pacific Railway Company at Fort William:		
Dominion Statute	66	1909
Act Respecting.		
Central Railway Company of Canada:		
Dominion Statute	72	1909
Act Respecting.		
Central Ontario Railway Company:		
Ontario Statute	69	1909
Sec. 1 (*b*), Sec. 4 (*c*).		
Chatham, Wallaceburg and Lake Erie Railway Company:		
Ontario Statute	100	1909
City of Chatham.		
Cobalt Range Railway Company:		
Dominion Statute	73	1909
Act respecting		
Cobourg, Port Hope and Havelock Electric Railway Company:		
Ontario Statute	131	1909
Act to incorporate.		
Cobourg Radial Railway Company:		
Ontario Statute	132	1909
Act to incorporate.		
Collingwood Southern Railway Company:		
Dominion Statute	74	1909
Act respecting *Declared to be a work for the general advantage of Canada.*		
Dunnville, Wellandport and Beamsville Electric Railway Company:		
Ontario Statute	123	1908
Ontario Statute	133	1909
Act respecting		
Eastern Ontario Electric Railway Company:		
Ontario Statute	134	1909
Act to incorporate.		
Erie, London and Tillsonburg Railway Company:		
Dominion Statute	106	1908
Act respecting		
Fort Erie and Buffalo Bridge Company:		
Dominion Statute	83	1909
Act to incorporate. *Declared to be a work for the general advantage of Canada.*		
Fort William Terminal Railway and Bridge Company:		
Dominion Statute	109	1908
Act respecting		
Grand Trunk Railway Company of Canada:		
Dominion Statute	87	1909
Act respecting		
Grand Trunk Pacific Railway Company:		
Dominion Statute	19	1909
Act to authorize a loan to the Grand Trunk Pacific Railway Company.		
Dominion Statute	66	1909
Act respecting		

Grand Trunk Pacific Railway Company:
(Lake Superior Branch.)
Dominion Statute 84 1909
Act respecting.

Grand Trunk Pacific Branch Lines Company:
Dominion Statute 115 1908
Act respecting

Guelph and Goderich Railway Company:
Dominion Statute 90 1909
Act respecting

Hamilton Radial Electric Railway Company:
Dominion Statute 117 1908
Act respecting

Hamilton, Waterloo and Guelph Railway Company:
Dominion Statute 118 1908
Act respecting

Huron and Ontario Railway Company:
Dominion Statute 92 1909
Act respecting

Lac Seul, Rat Portage and Keewatin Railway Company:
Ontario Statute 69 1909
Sec. 2(*b*), Sec. 4 (*a*).

Lake Superior and Northern Railway and Transportation Company:
Ontario Statute 135 1909
Act to incorporate.

Lindsay, Bobcaygeon and Pontypool Railway Company:
Dominion Statute 123 1908
Act respecting

London Street Railway Company:
Ontario Statute 110 1909
City of London.

London and Northwestern Railway Company:
Dominion Statute 100 1909
Act to incorporate.
Declared to be a work for the general advantage of Canada.

Manitoulin and North Shore Railway Company:
Dominion Statute 127 1908
Act respecting
Ontario Statute 72 1909
Act respecting

Morrisburg Electric Railway Company:
Ontario Statute 136 1909
Act to incorporate

Niagara Peninsular Railway Company:
Ontario Statute 137 1909
Act respecting

Niagara, St. Catharines and Toronto Railway Company:
Dominion Statute 134 1908
Act respecting

NIPISSING CENTRAL RAILWAY COMPANY:		
Dominion Statute Act respecting	135	1908
ONTARIO, HUDSON'S BAY AND WESTERN RAILWAY COMPANY:		
Dominion Statute Act respecting	116	1909
ONTARIO INTERURBAN RAILWAY COMPANY:		
Ontario Statute Act respecting	138	1909
ONTARIO WEST SHORE ELECTRIC RAILWAY COMPANY:		
Ontario Statute Act respecting	139	1909
OTTAWA, BROCKVILLE AND ST. LAWRENCE RAILWAY COMPANY:		
Dominion Statute Act respecting	140	1908
OTTAWA, NORTHERN AND WESTERN RAILWAY COMPANY:		
Dominion Statute Act respecting.	118	1909
OTTAWA AND ST. LAWRENCE ELECTRIC RAILWAY COMPANY:		
Ontario Statute Act to incorporate.	140	1909
OWEN SOUND AND MEAFORD RAILWAY COMPANY:		
Dominion Statute Act respecting.	141	1908
PACIFIC AND ATLANTIC RAILWAY COMPANY:		
Dominion Statute Act respecting.	142	1908
PEOPLE'S RAILWAY COMPANY:		
Ontario Statute Act to incorporate.	141	1909
PETERBORO RADIAL RAILWAY COMPANY:		
Ontario Statute Act respecting.	142	1909
PORT ARTHUR AND FORT WILLIAM RAILWAY:		
Ontario Statute City of Fort William.	106	1909
Ontario Statute City of Port Arthur.	118	1909
QUEBEC ORIENTAL RAILWAY COMPANY:		
Dominion Statute Act respecting.	126	1909
QUINZE AND BLANCHE RIVER RAILWAY COMPANY:		
Dominion Statute Act respecting.	127	1909
ST. MARY'S AND WESTERN ONTARIO RAILWAY COMPANY:		
Dominion Statute Act respecting.	136	1909
SAULT STE. MARIE AND ST. JOSEPH ISLAND RAILWAY COMPANY:		
Ontario Statute Act to incorporate.	143	1909

Simcoe Railway and Power Company:
Ontario Statute 145 1909
Act to incorporate.

South Ontario Pacific Railway Company:
Dominion Statute 157 1908
Act respecting.

South Western Traction Company:
Ontario Statute 146 1909
Act respecting.

Stratford and St. Joseph Radial Railway:
Ontario Statute 144 1909
Act to extend time to construct railway.

Superior and Western Ontario Railway Company:
Ontario Statute 69 1909
Sec. 2 (*c*), sec. 4 (*b*).
Dominion Statute 139 1909
Act to incorporate.
Declared to be a work for the general advantage of Canada.

Temiskaming and Northern Ontario Railway Act:
Ontario Statute 18 1909
Act to amend.

Thessalon and Northern Railway Company:
Dominion Statute 140 1909
Act respecting.
Declared to be a work for the general advantage of Canada.

Tillsonburg and Southern Counties Radial Railway Company:
Ontario Statute 147 1909
Act to incorporate.

Toronto, Niagara and Western Railway Company:
Dominion Statute 143 1909
Act respecting.

Toronto and Richmond Hill Street Railway Company:
Ontario Statute 94 1895
See Act respecting Tp. of York.

Toronto and Scarboro Electric Railway, Light and Power Co., Ltd.:
(Incorporated by Letters Patent 18th August, 1892.)
Ontario Statute 102 1893
Ontario Statute 65 1898
Ontario Statute 66 1898
Ontario Statute 93 1904
Respecting Toronto Ry. Co.
Ontario Statute 124 1906
See T. & Y. Ry. Co.

Toronto Suburban Railway Company:
Ontario Statute 148 1909
Act respecting.

Trans-Canada Railway Company:
Dominion Statute 164 1908
Act respecting.

Walkerton and Lucknow Railway Company:
Dominion Statute 149 1909
Act respecting.

WINDSOR, CHATHAM AND LONDON RAILWAY COMPANY:		
Dominion Statute Act respecting.	171	1908
WINDSOR, ESSEX AND LAKE SHORE RAPID RAILWAY COMPANY:		
Dominion Statute Act respecting.	152	1909

The following tables A and B have been compiled for the purpose of showing the various subsidies voted since July 1, 1867, by the Province of Ontario to Railways constructed wholly or partly within the Province.

Table A sets forth the subsidies voted by the Province of Ontario to the various Railways therein mentioned. These subsidies, however, have not all been paid in cash. In some cases the Railways have received the whole amount in cash, others have received the whole amount in certificates of the Province of Ontario, bearing interest at the rate of 3½ per cent., per annum, while others have received payments partly in cash and partly in certificates of Ontario, with interest at 3½ per cent.

Table B shows what cash the Railways have received, the amounts which the Province has paid in respect of the certificates, and the amount of outstanding certificates. The amounts set forth in the total column in Table B represent the amounts paid to Railway Companies respectively, together with the amount of the unredeemed certificates issued to such Railways. The difference between the gross sum of the subsidies voted and the total amount paid by the Government to Railways and the unpaid liability due by the Government in respect of such subsidies is made up of the interest at the rate of 3½ per cent. for the term of years over which the payment of the Government is distributed.

TABLE A.

Aid by Province of Ontario to Railways from Confederation to Oct. 31, 1909.

Name of Railway.	Miles.	Rate.	Subsidy voted.
Bay of Quinte	28.45	$3,000 00	$ 85,350 00
Belleville and North Hastings	22.	3,000 00	66,000 00
Brantford, Norfolk and Pt. Burwell	33.27	2,000 00	66,540 00
Bruce Mines and Algoma	17.	3,000 00	51,000 00
Canada Central	20.029	2,650 00	53,000 00
" "	20.	2,650 00	53,000 00
" "	7.531	2,650 00	19,957 15
Canada Southern	62.901	2,000 00	125,802 00
Central Counties	31.	2,000 00	62,000 00
" "	7	1,200 00	8,400 00
Central Ontario	45.500	3,000 00	136,500 00
Cobourg, Peterboro and Marmora	9.37	2,000 00	18,740 00
Credit Valley	153.061	3,000 00	459,183 00
Canada Atlantic	65.72	4,000 00	262,880 00
Erie and Huron	40.556	2,000 00	81,112 00
Grand Trunk, Georgian Bay and Lake Erie	79.3	2,000 00	158,600 00
Grand Junction	45.86	3,000 00	137,580 00
" "	20.	2,000 00	40,000 00
G.T.R. Assignee of Magnetawan River	1.86	Cash.	10,000 00
Grand Trunk Pacific	118.16	2,000 00	376,320 00
Hamilton and Northwestern	95.464	2,500 00	238,660 00
" "	48.052	3,000 00	144,156 00
Hamilton and Lake Erie	33.48	2,000 00	66,960 00
Huntsville and Lake of Bays	1.50	Cash.	10,000 00
Irondale, Bancroft and Ottawa	44.77	3,000 00	134,310 00
James Bay	3.70	4,000 00	14,800 00
Kingston and Pembroke	20.00	2,000 00	40,000 00
" "	15.	2,650 00	39,750 00
" "	11.58	3,250 00	37,635 00
" "	13.74	7,000 00	96,180 00
" "	28.42	8,000 00	237,360 00
Lake Simcoe Junction	26.50	2,000 00	53,000 00
Lindsay, Bobcaygeon and Pontypool	17.53	3,000 00	52,590 00
London, Huron and Bruce	69.146	2,000 00	138,292 00
Montreal and Ottawa	50.	2,000 00	100,000 00
Midland	20.40	2,000 00	40,800 00
"	19.60	2,250 00	44,100 00
"	14.53	4,000 00	58,120 00
North Simcoe	33.343	2,500 00	83,357 50
Northern Extension	42.72	2,000 00	85,440 00
" "	27.68	4,000 00	110,720 00
Ontario and Rainy River	268.20	4,000 00	1,072,800 00
Ontario, Belmont and Northern	9.57	2,000 00	19,140 00
Ottawa, Arnprior and Parry Sound	149.43	3,000 00	448,290 00
Pembroke Southern	18.50	3,000 00	55,500 00
Prince Arthur's Landing	5.995	2,000 00	11,990 00
Prince Edward County	32.	2,500 00	80,000 00
Port Dover and Lake Huron	63.	2,000 00	126,000 00
Port Arthur, Duluth and Western	80.	3,000 00	240,000 00
Parry Sound Colonization	47.75	3,000 00	143,250 00
Stratford and Lake Huron	27.5	2,000 00	55,000 00
Toronto, Grey and Bruce	73.52	3,000 00	220,560 00
" "	77.62	2,000 00	155,240 00
Toronto and Nipissing	33.439	2,000 00	66,878 00
" "	12.778	3,000 00	38,334 00
Tillsonburg, Lake Erie and Pacific	19.108	2,000 00	38,216 00
Thessalon and Northern	1.929	Cash.	5,000 00
Victoria	33.442	4,000 00	133,768 00
"	22.310	8,000 00	178,480 00
Wellington, Grey and Bruce	120.638	2,000 00	241,276 00
Whitby, Port Perry and Lindsay	45.745	2,000 00	91,490 00
Ottawa and New York (International Bridge)	....	Cash.	35,000 00
Dominion Bridge Co. (Interprovincial Bridge)	....	Cash.	50,000 00
Total	2,608.197	....	$7,604,406 65

TABLE B.

AID BY PROVINCE OF ONTARIO TO RAILWAYS UP TO 31ST OCTOBER, 1909, FROM CONFEDERATION.

Name of Railway.	Miles.	Cash Payments.	Certificates Paid.	Certificates Outstanding.	Total.
		$ c.	$ c.	$ c.	$ c.
Belleville and North Hastings	22.000	....	114,206 40	....	114,206 40
Brantford, Norfolk & Pt. Burwell	33.270	....	129,353 60	....	129,353 60
Bruce Mines and Algoma	17.000	1,920 00	16,348 61	75,216 99	93,485 60
Bay of Quinte	28.450	....	21,893 96	137,334 84	159,228 80
Canada Central	47.560	125,957 15	....	....	125 957 15
Canada Southern	62.901	....	244,559 20	....	244,559 20
Central Counties	38.000	68,747 26	....	....	68,747 26
Central Ontario	45.500	73,500 00	25.675 66	91,858 74	191,034 40
Cobourg, Peterboro & Marmora	9.370	18,740 00	....	....	18,740 00
Credit Valley	153.061	18,702 00	788,648 85	....	807,350 85
Canada Atlantic	65.720	....	454,887 60	....	454,887 60
Erie and Huron	40.556	1,634 47	122,200 40	....	123,834 87
Grand Trunk, Georgian Bay and Lake Erie	79.300	1,580 00	229,866 00	....	231,446 00
Grand Junction	65.860	40,000 00	238,067 60	....	278,067 60
G.T.R. as assignee of the Magnetawan Rwy	1.860	10,000 00	....	....	10,000 00
Grand Trunk Pacific Rwy	118.160	....	11,380 60	690.709 80	702.090 40
Hamilton & Northwestern	143.516	....	727,697 20	....	727,697 20
Hamilton & Lake Erie	33.480	66,960 00	....	....	66,960 00
Huntsville and Lake of Bays	1.500	10,000 00	....	....	10,000 00
Irondale, Bancroft and Ottawa	44.770	....	81,612 00	168,957 60	250,569 60
James Bay Railway	3,700	....	4,832 10	22,779 90	27,612 00
Kingston & Pembroke Rwy	88.740	213.582 50	393,423 20	....	606,945 70
Lindsay, Bobcaygeon & Pontyp'l	17.530	....	12,264 30	85,850 10	98,114 40
Lake Simcoe Junction Rwy	26,500	53,000 00	....	....	53,000 00
London, Huron & Bruce	69.146	....	268,839 60	....	268,839 60
Montreal & Ottawa	50.000	....	54,102 40	132,457 60	186,560 00
Midland Rwy	54.530	66,227 50	149,284 40	....	215,511 90
North Simcoe Rwy	33.343	....	144,241 60	....	144,241 60
Northern Extension Rwy	70.400	196,188 00	....	....	196,188 00
Ontario & Rainy River (Can. Northern)	268.200	....	413,043 90	1,588,372 10	2,001,416 00
Ontario, Belmont & Northern	9.570	....	11,610 82	24,114 78	35,725 60
Ottawa, Arnprior & Parry Sd.	149.430	....	286,131 58	531,560 42	817,692 00
Pembroke Southern	18,500	....	28,473 72	75,067 08	103,540 80
Prince Arthur's Landing	5.995	....	20,747 20	....	20,747 20
Prince Edward County	32.000	....	155,520 00	....	155,520 00
Port Dover & Lake Huron	63.000	126,000 00	....	....	126,000 00
Port Arthur, Duluth & Western (Can. Northern)	80.000	15,571 54	204,982 80	242,761 20	463,315 54
Parry Sound Colonization	47.750	....	105,587 13	161,660 07	267,247 20
Stratford & Lake Huron	27.500	55,000 00	....	....	55,000 00
Toronto, Grey & Bruce	151.140	285,182 00	176,182 40	....	461,364 40
Toronto & Nipissing	46.217	105,212 00	....	....	105,212 00
Tillsonburg, Lake Erie & Pacific	19.108	....	23,149 35	48,145 85	71,295 20
Thessalon & Northern	1.929	5,000 00	....	....	5,000 00
Victoria	55.752	33,442 00	503,875 20	....	537,317 20
Wellington, Grey & Bruce	120.638	241,276 00	....	....	241,276 00
Whitby, Port Perry & Lindsay	45.745	40,000 00	89,790 40	....	129,790 40
Ottawa & New York (International Bridge)	....	....	14,691 96	50,605 64	65,297 60
Dominion Bridge Co. (Interprovincial Bridge)	....	....	19,822 85	73,461 15	93,284 00
Totals	2,606.197	1,873,362 42	6,286,994 59	4.200,913 86	12,361 270 87

ELECTRIC RAILWAYS.

The exhibits here presented relating to Electric Railways, in the Province of Ontario, are gathered from sworn reports of the Railway Companies filed with the Board. The Brantford Street Railway Company, the Woodstock, Thames Valley and Ingersoll Railway Company, and the Grand Valley Railway Company, have filed no reports this year with the Board. The latter Company claim that the two former Companies were absorbed by them and that the three railways are now being operated as one system.

The Port Dalhousie, St. Catharines and Thorold Railway is being operated by the Niagara, St Catharines and Toronto Railway Company (Dominion jurisdiction). The partial statistics furnished in this report, relating to such railways as have not reported to the Board, are gathered, in part, from the report of the Dominion controller of railway statistics, and from other sources.

The report of the Cornwall Street Railway has not been filed with the Board.

THE BERLIN & WATERLOO STREET RAILWAY COMPANY.

General Balance Sheet. 30th June. 1909.

Assets:		
Cost of Railway:		
Roadbed and tracks		
Electric line construction, including poles and wiring		
Total cost of railway owned		
Cost of Equipment:		
Cars and other rolling stock and vehicles		
Cost of electric equipment of same		
Other items of equipment		$110,032 72
Office furniture		
Total cost equipment		
Cost of Land and Buildings:		
Land necessary for operation of railway		
Electric power stations, including equipment		
Other buildings necessary for operation of railway		
Total cost of land and buildings owned		
Cash	$171 74	
Bills and accounts receivable	586 60	
Other current assets		
Miscellaneous assets		
Material and supplies	7,052 25	
		$7,810 59
Profit and loss balance deficit		
Total assets		$117,843 31
Liabilities:		
Capital stock, $101,920.69 (a)		
Funded Debt		$99,974 27
Current Liabilities:		
Loans and notes payable	$1,980 61	
Audited voucher and accounts		
Miscellaneous current liabilities	5,944 70	
		7,925 31
Accrued Liabilities:		
Interest accrued and not due		3,509 86
Reserve for depreciation		3,860 75
Profit and loss account balance surplus		2,573 12
Total liabilities		$117,843 31

Capital Stock:	
Authorized by law	....
Authorized by votes of Company	....
Outstanding	....
Number of stockholders	....

FUNDED DEBT.

Description Bonds	Rate Int.	Maturity Bonds	Amount of Bonds Outstanding	Interest paid during year
....	......	....	....	....

VOLUME OF TRAFFIC, ETC.

Number of paying passengers carried during year	628.878
Number carried per mile of main track operated	202.864
Number of car miles run	87,860
Average number of persons employed	14
Company commenced operation (taken over)	May 1, 1907

(a) The municipality of Berlin acquired all the assets of this Company 1st May, 1907, and issued debentures to cover cost of same and betterments.

THE BERLIN & WATERLOO RAILWAY COMPANY.

General Exhibit: FOR THE YEAR ENDING 30TH JUNE, 1909.

Gross earnings from operating	$30,637 73	
Less operating expenses	23,461 64	
Gross income over operating expenses		$7,176 09
Charges upon Income:		
Accrued during year	....	
Interest on funded debt	$4,919 17	
Interest on unfunded debt and loans	399 48	
Depreciation	1,733 40	
Payment to municipalities for franchise	....	
Total deduction from income		7,052 05
Surplus		$124 04
Earnings from Operation:		
From passengers carried	$266,020 31	
From tolls for use of tracks	2,181 00	
From mails	1,042 04	
From carriage parcels	314 90	
From other sources, advertising in cars	497 76	
Total gross earnings from operation		$30,637 73
Expenses of Operation:		
General Expenses:		
Salaries of officers and clerks	$1,272 08	
General office expenses and supplies	713 83	
Legal expenses	86 76	
Insurance	1,645 22	
		$3,717 89
Other General Expenses:		
Crossing expenses	$1,029 17	
Miscellaneous general expenses	300 15	
		1,329 32
Maintenance Roadway and Buildings:		
Repair roadbed and track	$1,692 66	
Repair electric line construction	1 55	
		1,694 21
Maintenance of Equipment:		
Repairs, cars and other vehicles	3,495 68	
Repairs, power plant	1,096 20	
Renewals of tools and machinery	....	
		4,591 88

Transportation Expenses:		
Cost of motive power	$6,960 71	
Wages of persons conducting transportation	4,825 57	
Removal of snow and ice	51 08	
Damages for injuries to persons and to property	....	
		1.837 36
Other Transportation Expenses:		
Car service expenses and supplies	$290 98	
Cleaning, oiling and sanding tracks	....	
		290 98
Total operating expenses		$23,461 64

DESCRIPTION OF EQUIPMENT.

Description of Equipment.	Equipped for Electric Power.	Number Equipped.	Total Passenger Cars.	Equipped with Fenders.	Equipped with Electric Heaters.
Box passenger cars	7 Trailers.	....	.. ...	7	7 Stoves.
Open passenger cars	2	3	.. ...	.....	3 E. Heater.
Total	9	....	......	7	10
Cars—other service:					
Other cars (motor)	....	....	......	......	....
Snow ploughs	....	....	.....	......	....

MISCELLANEOUS EQUIPMENT.

Highway vehicles	....
Tower wagon	....
Tip carts	....

RAILWAY OWNED AND OPERATED.

	Miles.
Length of railway line computed as single track	2.70
Length of sidings and switches	.42
	3.12

ACCIDENTS TO PERSONS.

Killed and Injured.	From causes beyond their own control.		From their own carelessness.		Total.	
	Killed.	Injured	Killed.	Injured.	Killed.	Injured.
Passengers	....	....	....	....	....	....
Employees	....	....	....	....	....	....
Other persons	....	....	....	....	....	....
Totals	....	....	....	....	....	....

Corporate name and address of the Company: Berlin & Waterloo St. Ry.

Names and business addresses of principal officers: Chairman, Albert L. Breithaupt, Berlin; Treasurer and Secretary, Victor S. McIntyre, Berlin; General Counsel. James Scellen, Berlin; Auditor, J. M. Scully, F.C.A., Berlin; Superintendent, Edward J. Philip, Berlin.

Names and residence of Board of Directors: Albert L. Breithaupt, Chairman, Berlin; August R. Lang, Jacob Kaufman, George Lippert, Commissioners, Berlin.

V. S. McIntyre, *Secretary-Treasurer.*
E. J. Philip, *Superintendent.*

Then personally appeared the above named and severally made oath that the foregoing certificate by them subscribed is to the best of their knowledge and belief true.

Before me. (Signed) Alex. Millar.
N. P. for Ontario.

GALT, PRESTON & HESPELER STREET RAILWAY COMPANY.

General Balance Sheet, 30th June, 1909.

Assets:		
Cost of Railway:		
Roadbed and tracks	....	
Electric line construction, including poles and wiring	....	...
Total cost of railway owned	....	
Cost of Equipment:		
Cars and other rolling stock and vehicles	....	
Cost of electric equipment of same	....	
Other items of equipment	....	
Office furniture	....	
Total cost equipment		
Cost of Land and Buildings:		
Land necessary for operation of railway	....	
Electric power stations, including equipment	....	
Other buildings necessary for operation of railway	....	$755,517 47
Total cost of land and buildings owned		....
Cash	$40 97	
Bills and accounts receivable	5,108 60	
Other current assets	....	
Miscellaneous assets	7,661 01	
Material and supplies	12,956 54	$25,767 12
Profit and loss balance deficit		....
Total assets		$781,284 59
Liabilities:		
Capital stock	....	$313 10
Funded debt		626,852 47
Current Liabilities:		
Reserve fund		70,077 04
Audited voucher and accounts	$1,868 61	
Miscellaneous current liabilities, wages	3,662 48	5,531 09
Accrued Liabilities:		
Interest accrued		1,666 66
Freight interchange		4,451 14
Profit and loss account balance surplus		41,396 19
Total liabilities		$781,284 59

Capital Stock:		
Authorized by law	$100,000 00	
Authorized by votes of Company		
Outstanding common stock	3,500 00	
Paid in on account 1,854 shares	27,810 00	
Number of stockholders		

FUNDED DEBT.

Description Bonds.	Rate Int.	Maturity Bonds.	Amount of Bonds Outstanding.	Interest paid during year.
Collateral Trust bonds	5%	....	$100,000	$5,000

VOLUME OF TRAFFIC, ETC.

Number of paying passengers carried during year	730,880
Number carried per mile of main track operated	40,604
Number of car miles run	252,976
Average number of persons employed	71
Company commenced operation	1890

GALT, PRESTON & HESPELER STREET RAILWAY COMPANY.

FOR THE YEAR ENDING 30TH JUNE, 1909.

General Exhibit:		
Gross earnings from operating	$117,613 29	
Less operating expenses	68,190 22	
Gross income over operating expenses		$49,423 07
Charges upon Income:		
Accrued during year	....	
Interest on funded debt	5,000 00	
Interest on unfunded debt and loans	1,273 31	
Taxes— Municipal, $1,604.07; Provincial, $149.80	1,753 57	
Payment to municipalities for franchise		
Total deduction from income		$8,026 88
Surplus of deficit		$41,396 19
Earnings from Operation:		
From passengers carried	$56,848 77	
Sundries	122 80	
From mails	1,352 51	
From express parcels	4,530 91	
From advertising in cars	76 00	
From sale of power	1,608 19	
From freight	53,074 11	
Total gross earnings from operation		$117,613 29
Expenses of Operation:		
General Expenses:		
Salaries of officers and clerks	$8,690 51	
General office expenses and supplies	1,005 13	
Legal expenses	201 11	
Insurance	3,500 00	
		$13,396 75
Other General Expenses:		
Advertising	$1,605 24	
Miscellaneous general expenses	....	
		1,605 24

Maintenance Roadway and Buildings:		
Repair roadbed and track	$9,276 60	
Repair electric line construction	877 88	
Repair of buildings	411 62	
		10,566 10
Maintenance of Equipment:		
Repairs, cars and other vehicles		
Repairs of electric equipment of cars	$894 79	
Renewals of tools and machinery	2,876 47	
		3,771 26
Transportation Expenses:		
Cost of motive power and fuel and oil	$13,629 11	
Wages of persons conducting transportation	22,468 06	
Removal of snow and ice	586 58	
Damages for injuries to persons and to property	451 50	
		37,135 25
Other Transportation Expenses:		
Other expenses and supplies	$1,715 62	
Cleaning, oiling and sanding tracks		
		1,715 62
Total operating expenses		$68,190 22

Description of Equipment.

Description of Equipment.	Equipped for Electric Power	Number Equipped	Equipped with Fenders.	Equipped with Electric Heaters.	Number of Motors.
Box passenger cars	7 Trailers	......	All.	6	.....
Open passenger cars	3	1	All.	......	.....
Total	....	......	......	......	.....
Cars—other Service:					
Other cars (motor), 3 locomotives, electric, steam .	....	......	......	......	....
Snow sweeper (1), 9 baggage cars, 1 conductor's van	....	......	......	......	.....

Miscellaneous Equipment.

Highway vehicles	....
Tower wagon	....
Tip carts	....

Railway Owned and Operated.

	Miles.
Length of railway line computed as single track	19.17
Length of sidings and switches	7.25
	26.42

ACCIDENTS TO PERSONS.

Killed and Injured.	From causes beyond their own control.		From their own carelessness.		Totals.	
	Killed.	Injured.	Killed.	Injured.	Killed.	Injured
Passengers	....	....	....	....	....	....
Employees	....	....	....	2	....	....
Other persons	....	......	1	....	1	2
Totals	....	....	1	2	1	2

Corporate name and address of the Company: The Galt, Preston & Hespeler Street Railway Company, Limited, Galt, Ont.

Names and business addresses of principal officers: President, Martin F Todd, Galt; Vice-President, George D. Forbes, Hespeler; Treasurer, William H. Lutz, Galt; Clerk of Corporation, William H. Lutz; Auditors, George C. Eastin and J. M. Irwin; General Manager, Martin N. Todd.

Names and residence of Board of Directors: Martin N. Todd, Galt; George D. Forbes, Hespeler; Fred Clare, Preston; James Oborne, Toronto; Hugh McCullough, Galt.

We hereby certify that the statements contained in foregoing report are full, just and true.

(Signed) W. H. LUTZ,
M. N. TODD.

Then personally appeared the above named and severally made oath that the foregoing certificate by them subscribed is to the best of their knowledge and belief true.

Before me
(Signed) J. B. DALZELL.
J. P. or Com'r.

GUELPH RADIAL RAILWAY COMPANY.

GENERAL BALANCE SHEET, 30TH JUNE, 1909.

Assets:		
Cost of Railway:		
Roadbed and tracks	....	
Electric line construction, including poles and wiring	....	
Total cost of railway owned	....	
Cost of Equipment:		
Cars and other rolling stock and vehicles	....	
Cost of electric equipment of same	....	
Other items of equipment	....	
Office furniture	....	
Total cost equipment	....	
Cost of Land and Buildings:		
Land necessary for operation of railway	....	
Electric power stations, including equipment	....	
Other buildings necessary for operation of railway	....	
Total cost of land and buildings owned	....	$108,000 00

Cash	....	
Bills and accounts receivable	....	
Other current assets	....	
Miscellaneous assets	....	
Material and supplies	....	
Profit and loss balance deficit		....
Total assets		$108,000 00
Liabilities:		
Capital Stock	....	
Funded Debt	....	$48,000 00
Current Liabilities:		
Advance made by City of Guelph to acquire Railway		$60,000 00
Audited voucher and accounts		....
Miscellaneous current liabilities		....
Accrued Liabilities:		
Interest accrued and not due		....
Profit and loss account balance surplus		....
Total Liabilities		$108,000 00
Capital Stock:		
Authorized by law	....	
Authorized by votes of Company	....	
Outstanding	....	
Number of stock holders	....	

This Railway was acquired by City of Guelph for $60,000, and assumed bonded debt of $48,000.

FUNDED DEBT.

Description Bonds.	Rate Int.	Maturity Bonds.	Amount of Bonds Outstanding.	Interest paid during year.
	.. ...	....	$48,000	....

VOLUME OF TRAFFIC, ETC.

Number of paying passengers carried during year	567,413
Number carried per mile of main track operated	......
Number of car miles run	200,800
Average number of persons employed	25
Company commenced operation	

REPORT OF THE GUELPH RADIAL RAILWAY COMPANY.

FOR THE YEAR ENDING 30TH JUNE, 1909.

General Exhibit:		
Gross earnings from operating	$27,847 28	
Less operating expenses	22,782 35	
Gross income over operating expenses		$5,064 93
Charges upon Income:		
Accrued during year	....	
Interest on funded debt	$48,000 00	
Interest on unfunded debt	....	
Taxes	....	
Payment to municipalities for franchise	....	
Total deduction from income		....
Surplus or deficit		....

Earnings from Operation:		
From passengers carried	$25,710 07	
From freight carried	1,085 53	
From advertising in cars	251 00	
From other sources	800 68	
Total gross earnings from operation		$27,847 28
Expenses of Operation:		
General Expenses:		
Salaries of officers and clerks	$1,452 50	
General office expenses and supplies	94 07	
Legal expenses	....	
Insurance	326 30	
		$1,872 87
Other General Expenses:		
Advertising	....	
Miscellaneous general expenses	....	
Maintenance Roadway and Buildings:		
Repair roadbed and track	$1,236 12	
Repair electric line construction	272 98	
Repair of buildings	....	
		1,509 10
Maintenance of Equipment:		
Repairs, cars and other vehicles	$4,089 88	
Repairs of electric equipment cars	....	
Renewals of tools and machinery	....	
		4,089 88
Transportation Expenses:		
Cost of motive power	....	
Wages of persons conducting transportation	$7,550 36	
Tolls for trackage rights	365 00	
Rentals of buildings and property	....	
		7,915 36
Other Transportation Expenses:		
Other expenses and supplies	....	7,395 14
Cleaning, oiling and sanding tracks	....	
Total operating expenses		$22,782 35

DESCRIPTION OF EQUIPMENT.

Description of Equipment.	Equipped for Electric Power	Number Equipped.	Total Passenger Cars.	Equipped with Fenders.	Equipped with Electric Heaters.	Number of Motors.
Box passenger cars	5	....	....	5	5	......
Trailer cars	2	....	....	....	....	......
Open passenger cars	5	....	....	5	....	......
Total	12	....	....	10	5	......
Cars—other Service:						
Other cars (motor) platform (1)	....	....	....	....	....	......
Snow ploughs (1)	....	....	....	....	....	......

MISCELLANEOUS EQUIPMENT.

Highway vehicles	....
Tower wagon	....
Tip carts	....

RAILWAY OWNED AND OPERATED.

	Miles.
Length of railway line computed as single track	6.00
Length of sidings and switches	.33
	6.33

ACCIDENTS TO PERSONS.

Killed and Injured.	From causes beyond their own control.		From their own carelessness.		Total.	
	Killed.	Injured.	Killed.	Injured.	Killed.	Injured.
Passengers						
Employees						
Other persons						
Totals						

Corporate name and address of the Company: Guelph Radial Railway Company.

Names and business addresses of principal officers: President, J. W. Lyon, Guelph; Vice-President, J. J. Drew, Guelph; Treasurer, G. B. Ryan, Guelph; Secretary, Robt. Simpson, Guelph; General Counsel, Donald Guthrie, Guelph; Auditors, Meff & Co., Toronto; General Manager and Superintendent, J. J. Hackney, Guelph.

Names and residence of Board of Directors: James W. Lyon, John J. Drew, G. B. Ryan, Jos. W. Pequegnat, Geo. D. Hastings, Guelph.

We hereby certify that the statements contained in foregoing report are full, just and true.

(Signed) JAMES W. LYON,
J. J. HACKNEY.

Then personally appeared the above named and severally made oath that the foregoing certificate by them subscribed is to the best of their knowledge and belief true.

Before me
(Signed) DONALD GUTHRIE,
J. P. or Com'r.

HAMILTON & DUNDAS RAILWAY COMPANY.

GENERAL BALANCE SHEET, 30TH JUNE, 1909.

Assets:		
Cost of Railway:		
Roadbed and tracks	....	
Electric line construction, including poles and wiring	....	
Total cost of railway owned	....	
Cost of Equipment:		
Cars and other rolling stock and vehicles	....	
Cost of electric equipment of same	....	
Other items of equipment	....	
Office furniture	....	
Total cost equipment	....	
Cost of Land and Buildings:		
Land necessary for operation of railway	....	
Electric power stations, including equipment	....	
Other buildings necessary for operation of railway	....	
Total cost of land and buildings owned		$355,082 74

Cash	....	
Bills and accounts receivable	2,310 29	
Other current assets	....	
Miscellaneous assets	....	
Material and supplies	....	
Profit and loss balance deficit	$1,102 57	3,412 86
Total assets		$358,495 60
Liabilities:		
Capital stock	....	$100,000.00
Funded debt	....	100,000 00
Current Liabilities:		
Loans and notes payable	$150,000 00	
Audited voucher and accounts	5,995 60	155,995 60
Miscellaneous current liabilities	....	2,500 00
Accrued Liabilities:		
Interest accrued		....
Profit and loss account balance surplus		....
Total liabilities		$358,495 60

Capital Stock:	
Authorized by law	$100,000 00
Authorized by votes of Company	100,000 00
Outstanding	100,000 00
Number of stock holders	8

FUNDED DEBT.

Description Bonds.	Rate Int.	Maturity Bonds.	Amount of Bonds Outstanding.	Interest paid during year.
First Mortgage	5%	....	$100 000	$5,000

VOLUME OF TRAFFIC, ETC.

Number of paying passengers carried during year	423,257
Number carried per mile of main track operated	60,465
Number of car miles run	119,860
Average number of persons employed	24
Company commenced operation	. .. ...

HAMILTON & DUNDAS RAILWAY COMPANY.

GENERAL BALANCE SHEET, 30TH JUNE, 1909.

General Exhibit:		
Gross earnings from operating	$41,192 58	
Less operating expenses	32,117 49	
Gross income over operating expenses		$9,075 09
Rental of track		2,795 68
		$11,870 77
Charges upon income:		
Accrued during year	....	
Interest on funded debt	$14,000 00	
Interest on unfunded debt and loans	....	
Taxes: Municipal, $712.26; Prov., $84.50; Commuted, $342.92	$1,139 68	
Payment to municipalities for franchise	....	
Total deduction from Income		$15,139 68
Deficit		$3,268 91

Earnings from Operation:		
From passengers carried	$39,400 54	
From express parcels	187 90	
From advertising in cars	100 07	
From carriage of freight	1,019 47	
From other sources	484 60	
Total gross earnings from operation		$41,192 58
Expenses of Operation:		
General Expenses:		
Salaries of officers and clerks	$3,231 28	
General office expenses and supplies	269 39	
Legal expenses	410 80	
Insurance	126 58	
		$4,038 05
Other General Expenses:		
Advertising	....	
Miscellaneous general expenses	$1,234 73	
		1,234 73
Maintenance Roadway and Buildings:		
Repair roadbed and track	$2,926 98	
Repair electric line construction	605 47	
Repair of buildings	9 17	
		3,541 62
Maintenance of Equipment:		
Repairs, cars and other vehicles	$608 51	
Repairs of electric equipment of cars	790 33	
Renewals of tools and machinery	44 10	
		1,442 94
Transportation Expenses:		
Cost of motive power	$4,173 27	
Wages of persons conducting transportation	7,461 23	
Removal of snow and ice	354 31	
Damages for injuries to persons and to property	2,083 42	
Rentals of buildings and other property	3,677 78	
		17,750 01
Other Transportation Expenses:		
Car service expenses and supplies	$4,110 14	
Cleaning, oiling and sanding tracks	....	
		4,110 14
Total operating expenses		$32,117 49

Description of Equipment.

Description of Equipment.	Equipped for Electric Power.	Number Equipped.	Total Passenger Cars.	Equipped with Fenders.	Equipped with Electric Heaters.	Number of Motors.
Box passenger cars	1	....	....	....	....	....
Open passenger cars	2	....	....	....	....	....
Total	3	....	....	....	....	....
Cars Other Service:						
Other cars (motor) baggage	1		....	....	....	....
Snow plows	....	....	....	....	....	....

MISCELLANEOUS EQUIPMENT.

Highway vehicles	....
Tower wagon	....
Tip carts	....

RAILWAY OWNED AND OPERATED.

Length of railway line computed as single track	6.52
Length of sidings and switches	....

ACCIDENTS TO PERSONS.

Killed and Injured.	From causes beyond their own control.		From their own carelessness.		Total.	
	Killed.	Injured.	Killed.	Injured.	Killed.	Injured
Passengers	1	1	....	10	1	11
Employees	....	....	....	....	....	....
Other persons	....	....	....	2	....	2
Totals	1	1	....	12	1	13

Corporate name and address of the Company: Hamilton & Dundas Street Railway Company.

Names and business addresses of principal officers: President, John Dickenson; Vice-President, J. N. Sutherland; Treasurer, John Knox; Auditors, C. S. Scott and A. E. Mason; General Manager, W. C. Hawkins; Superintendent, J. G. Gibson; General Counsel, Gibson, Osborne, O'Reilly and Levy.

Names and residence of Board of Directors: John Dickenson, N. Glemford; J. N. Sutherland, Hamilton; John Knox, Hamilton; J. R. Moodie, Hamilton; Alex. Bruce, K.C., Toronto; James Dixon, Hamilton; W. E. Rundee, Toronto.

We hereby certify that the statements contained in foregoing report are full, just and true.

(Signed) JNO. KNOX.
E. P. COLEMAN.

Then personally appeared the above named and severally made oath that the foregoing certificate by them subscribed is to the best of their knowledge and belief true.

Before me
(Signed) JNO. PATTERSON.
J.P. or Com'r.

HAMILTON, GRIMSBY & BEAMSVILLE RAILWAY COMPANY.

GENERAL BALANCE SHEET, 30TH JUNE, 1909.

Assets:

Cost of Railway:	
Roadbed and tracks	....
Electric line construction, including poles and wiring	....
Total cost of railway owned	....

Cost of Equipment:		
Cars and other rolling stock and vehicles	....	
Cost of electric equipment of same	....	
Other items of equipment	....	
Office furniture	....	
Total cost equipment	....	
Cost of Land and Buildings:		
Land necessary for operation of railway	....	$402,732 98
Electric power stations, including equipment	....	
Other buildings necessary for operation of railway	....	
Total cost of land and buildings owned	....	
Cash	$23,824 56	
Bills and accounts receivable	5,134 83	
Other current assets	1,022 99	
Miscellaneous assets	....	
Material and supplies	....	
		$29,982 38
Profit and loss balance deficit		....
Total assets		$432,715 36

No separation of the capital account shewing amount at debit of the various headings as above has been made.

Liabilities:		
Capital stock	....	$235,000 00
Funded debt	....	150,000 00
Current Liabilities:		
Loans and notes payable	....	
Audited voucher and accounts	$345 68	
Miscellaneous current liabilities	....	
		345 68
Accrued Liabilities:		
Interest accrued and not due	$1,250 00	
Taxes accrued and not due	882 10	2,132 10
Profit and loss account balance surplus	....	45,237 58
Total liabilities		$432,715 36

Capital stock:	
Authorized by law	$235,000 00
Authorized by votes of Company	235,000 00
Outstanding (2,350 shares)	....
Number of stock holders	8

FUNDED DEBT.

Description Bonds.	Rate Interest.	Maturity Bonds.	Amount of Bonds Outstanding.	Interest paid during year.
First Mortgage Bonds	5 per cent.	....	$150,000	$7,500

VOLUME OF TRAFFIC, ETC.

Number of paying passengers carried during year	431,699
Number carried per mile of main track operated	19,623
Number of car miles run	275,801
Average number of persons employed	55
Company commenced operation	1892

HAMILTON, GRIMSBY & BEAMSVILLE ELECTRIC RAILWAY COMPANY.

General Balance Sheet, 30th June, 1909.

General Exhibit:		
Gross earnings from operating	$92,305 72	
Interest on deposits	1,802 33	
		$94,108 05
Less operating expenses	....	74,573 43
Gross income over operating expenses		$19,534 62
Charges upon Income:		
Accrued during year	....	
Interest on funded debt	$7,500 00	
Interest on unfunded debt and loans	....	
Taxes: Municipal, $1,681.60; Provincial, $245.00	1,926 60	
Payment to municipalities for mileage	514 00	
		$9,940 60
Total deduction from income	....	
Surplus or deficit		$9,594 02
Earnings from Operation:		
From passengers carried	$63,107 58	
From mails	550 00	
From carriage—express and parcels	5,382 70	
From advertising in cars	350 00	
From carriage—freight	19,435 57	
From other sources, rentals, buildings, etc	3,479 87	
Total gross earnings from operation		$92,305 72
Expenses of Operation:		
General Expenses:		
Salaries of officers and clerks	$6,079 66	
General office expenses and supplies	816 68	
Legal expenses	978 17	
Insurance	603 64	
		$8,478 15
Other General Expenses:		
Advertising	$277 78	
Miscellaneous general expenses	....	
		$277 78
Maintenance Roadway and Buildings:		
Repair roadbed and track	$10,524 05	
Repair electric line construction	1,523 02	
Repair of buildings	200 20	
		$12,247 27
Maintenance of Equipment:		
Repairs, cars and other vehicles	$4,289 08	
Repairs of electric equipment of cars	4,051 41	
Renewals of tools and machinery, etc	450 79	
		$8,791 28
Transportation Expenses:		
Cost of motive power	$14,246 81	
Wages of persons conducting transportation	15,542 25	
Removal of snow and ice	430 17	
Damages for injuries to persons and to property	2,364 67	
		$32,583 90
Other Transportation Expenses:		
Rental of buildings and other property	$7,071 45	
Car service expenses and supplies	1,013 02	
Heating and incidental	4,110 58	
Cleaning, oiling and sanding tracks	....	
		12,195 05
Total operating expenses		$74,573 43

DESCRIPTION OF EQUIPMENT.

Description of Equipment.	Equipped for Electric Power.	Number Equipped.	Total Passenger Cars.	Equipped with Fenders.	Equipped with Electric Heaters	Number of Motors.
Box passenger cars..................	8	....	....	....	....	....
Open passenger cars	3	....	....	....	....	....
Total	11	....	....	....	....	....
Cars Other Service:						
Other cars (motor) cattle and box cars (4) tool cars, (3)	....	....	....	....	....	.....
Snow plows	....	....	....	....	....	....

MISCELLANEOUS EQUIPMENT.

Highway vehicles	....
Tower wagon	....
Tip carts	....

RAILWAY OWNED AND OPERATED.

	Miles.
Length of railway line computed as single track	22.5
Length of sidings and switches	....

ACCIDENTS TO PERSONS.

Killed and Injured.	From causes beyond their own control.		From their own carelessness.		Total.	
	Killed.	Injured.	Killed.	Injured.	Killed	Injured.
Passengers	....	6	....	3	....	9
Employees......................	....	3	....	....	....	3
Other persons	....	2	....	3	....	5
Totals	....	11	....	6	....	17

Corporate name and address of the Company: Hamilton, Grimsby & Beamsville Electric Railway Company.

Names and business addresses of principal officers: President, James Dixon, Hamilton; Vice-President, John Dickenson, North Glanford; Treasurer, John Knox, Hamilton; Gen. Counsel, Gibson, Osborne, O'Reilly & Levy, Hamilton; Auditor, C. S. Scott and A. E. Mason, Hamilton; Gen. Manager, Wm. C. Hawkins, Hamilton; Superintendent, J. G. Gibson, Hamilton.

Names and residence of Board of Directors: James Dixon, Hamilton; John Dickenson, North Glanford; John Knox, Hamilton; J. W. Sutherland, Hamilton; Wm. C. Hawkins, Hamilton; S. O. Greening, Hamilton; J. R. Moodie, Hamilton.

We hereby certify that the statements contained in foregoing report are full, just and true.

(Signed) JOHN KNOX.
E. P. COLEMAN.

Then personally appeared the above named and severally made oath that the foregoing certificate by them subscribed is to the best of their knowledge and belief true.

Before me

(Signed) John Patterson,
J.P or Com'r.

HAMILTON STREET RAILWAY COMPANY.

General Balance Sheet, 30th June, 1909.

Assets:		
Cost of Railway:		
Roadbed and tracks	....	
Electric line construction, including poles and wiring	....	
Total cost of railway owned	....	
Cost of Equipment:		
Cars and other rolling stock and vehicles	....	
Cost of electric equipment of same	....	
Other items of equipment	....	
Office furniture	....	
Total cost equipment	....	
Cost of Land and Buildings:		
Land necessary for operation of railway	....	
Electric power stations, including equipment	....	
Other buildings necessary for operation of railway	....	
Total cost of land and buildings owned		$709,777 75
Cash	....	
Bills and accounts receivable	$7,938 53	
Other current assets	673 11	
		8,611 64
Capital expenditure, new tracks	....	85,072 31
Material and supplies	....	
		$803,461 70
Total assets		$803,461 70
Expenses of Operation:		
General Expenses:		
Salaries of officers and clerks	$15,728 10	
General office expenses and supplies	844 93	
Legal expenses	2,665 63	
Insurance	2,461 58	
		$21,700 24
Other General Expenses:		
Advertising	$4,567 77	
Miscellaneous general expenses	2,877 75	
		7,445 52
Maintenance Roadway and Buildings:		
Repair roadbed and track	$8,025 72	
Repair electric line construction	2,543 56	
Repair of buildings	867 98	
		11,437 26
Maintenance of Equipment:		
Repairs, cars and other vehicles	$10,556 09	
Repairs of electric equipment of cars	13,943 72	
Renewals of tools and machinery	....	
		24,499 81

Transportation Expenses:		
Cost of motive power	$42,890 24	
Wages of persons conducting transportation	82,683 84	
Removal of snow and ice	2,040 08	
Damages for injuries to persons and to property	13,666 01	
		141,280 17
Other Transportation Expenses:		
Rental buildings and other property	$4,228 18	
Car service expenses and supplies	2,338 67	
Heating and incidentals	10,727 36	
		17,294 21
Total operating expenses		$223,657 21
Liabilities:		
Capital stock	$205,000 00	
Funded debt	500,000 00	
		$705,000 00
Current Liabilities:		
Loans and notes payable	....	
Audited voucher and accounts	$19,420 79	
Miscellaneous current liabilities	4,631 85	
		24,052 64
Accrued Liabilities:		
Interest not due	$554 80	
Interest accrued, coupon matured	2,722 50	
Taxes accrued	1,304 00	
Profit and loss account balance surplus	69,827 76	
		74,409 06
Total liabilities		$803,461 70
Capital Stock:		
Authorized by law	$205,000 00	
Authorized by votes of Company	205,000 00	
Outstanding	205,000 00	
Number of stock holders	8	

FUNDED DEBT.

Description Bonds.	Rate Interest.	Maturity Bonds.	Amount of Bonds Outstanding.	Interest paid during year.
First Mortgage	4½ per cent.	1928	$500,000	$22,500

VOLUME OF TRAFFIC, ETC.

Number of paying passengers carried during year	8,076,511
Number carried per mile of main track operated	367,114
Number of car miles run	1,620,418
Average number of persons employed	156
Company commenced operation	1873

HAMILTON STREET RAILWAY COMPANY.

FOR THE YEAR ENDING 30TH JUNE, 1909.

General Exhibit:		
Gross earnings from operating	$327,702 70	
Less operating expenses	223,657 21	
Gross income over operating expenses		$104,045 49

Charges upon Income:		
Accrued during year	....	
Interest on funded debt	$22,500 00	
Interest on unfunded debt and loans	674 10	
Taxes, Municipal, $2,514.81; Provincial, $405.54	2,920 35	
Payment to municipalities for franchise	33,435 59	
Total deduction from income		59,530 04
Surplus or deficit		$44,515 45

Earnings from operation:		
From passengers carried	$324,228 88	
From rentals, buildings and property	2,642 17	
From advertising in cars	604 00	
From other sources	227 65	
Total gross earnings from operation		$327,702 70

Description of Equipment.

Description of Equipment.	Equipped for Electric Power.	Number Equipped.	Total Passenger Cars.	Equipped with Fenders.	Equipped with Electric Heaters.	Number of Motors.
Box passenger cars	45	....	....	48	....	....
Open passenger cars	27	....	....	27	....	....
Total	72	....	....	75	....	....
Cars other service:						
Other cars (motor), tool (1)	....	....	....	....	....	....
Snow sweepers (2)	....	....	....	....	....	....

Miscellaneous Equipment.

Highway vehicles	....
Tower wagon	....
Tip carts	....

Railway Owned and Operated.

	Miles.
Length of railway line computed as single track	22.29
Length of sidings and switches	....

Accidents to Persons.

Killed and Injured.	From causes beyond their own control.		From their own carelessness.		Total.	
	Killed.	Injured.	Killed.	Injured.	Killed.	Injured.
Passengers	....	18	....	158	....	178
Employees	....	5	....	1	....	32
Other persons	2	1	3	121	2	133
Totals	2	24	3	280	2	343

Corporate name and address of the Company: The Hamilton Street Railway Company.

Names and business addresses of principal officers: Vice-President, John Dickenson; Treasurer, John Knox; Counsel, Gibson O'Reilly, Osborne & Levy; Auditors, C. S. Scott, A. E. Mason; General Manager, W. C. Hawkins; Superintendent, D. N. Miller; Clerk of Corporation, E. P. Coleman.

Names and residence of Board of Directors: John Dickenson, N. Glanford, John Knox, Hamilton; J. R. Moodie, Hamilton; James Dixon, Hamilton; J. W. Sutherland, Hamilton; W. E. Rundle, Toronto. Alex. Bruce, K.C., Toronto.

We hereby certify that the statements contained in foregoing report are full, just and true.

(Signed) JNO. KNOX,
E. P. COLEMAN,

Then personally appeared the above named and severally made oath that the foregoing certificate by them subscribed is to the best of their knowledge and belief true.

Before me,
(Signed) JNO. PATTERSON,
J.P. or Com'r.

INTERNATIONAL TRANSIT COMPANY.

GENERAL BALANCE SHEET, 30TH JUNE, 1909.

Assets:		
Cost of Railway:		
Roadbed and tracks	$1,099 47	
Electric line construction, including poles and wiring	24,725 12	
Interest accrued during construction railway	5,450 28	
Engineering and other expenses incident to construction	8650 27	
Organization expenses	9,384 49	
Cost of Equipment:		
Cars and other rolling stock and vehicles	26,365 97	
Cost of electric equipment of same	17,553 87	
Other items of equipment (ferries)	89,215 18	
Other items	4,679 74	
Total cost equipment		$137,814 76
Cost of Land and Buildings:		
Land necessary for operation of railway	....	
Electric power stations, including equipment	....	
Other buildings necessary for operation of railway	....	
Total cost of land and buildings owned		$26,956 79
Old account items		83,142 17
Securities pledged with National Trust Co.		212,000 00
Cash	176 80	
Bills and accounts receivable	5,055 90	
Other current assets (National Trust Co.)	7,783 18	
Miscellaneous assets (rights and franchises)	148,250 00	
Material and supplies	4,859 28	
		166,125 16
Profit and loss balance deficit		26,001 06
Total assets		$810,197 10
Liabilities:		
Capital stock	$150,000 00	
Funded debt, 1st Mortgage bonds	512,000 00	
		$662,000 00
Current Liabilities:		
Loans and notes payable—notes of Lake Superior Corporation	$44,435 73	
Audited voucher and accounts	6,802 75	
		51,238 48

Accrued Liabilities:		
Old account items	....	96,958 62
Interest accrued and not due	....	
Profit and loss account balance surplus	....	
Total liabilities		$810,197 10

Capital Stock:	
Authorized by law	$150,000 00
Authorized by votes of Company	148,250 00
Outstanding (shares)	2,965
Number of stock holders	13

FUNDED DEBT.

Description Bonds.	Rate Interest.	Maturity Bonds.	Amount of Bonds Outstanding.	Interest paid during year.
First Mortgage Bonds ...	5 per cent.	1st July 1919	$512,000	$2,560

VOLUME OF TRAFFIC, ETC.

Number of paying passengers carried during year	895,198
Number carried per mile of main track operated	223,796
Number of car miles run	283,284
Average number of persons employed	28
Company commenced operation	1886

REPORT OF THE INTERNATIONAL TRANSIT COMPANY.

FOR THE YEAR ENDING 30TH JUNE, 1909.

General Exhibit:		
Gross earnings from operating	$38,071 21	
Earnings—Securities owned	10,600 00	
		$48,671 21
Less operating expenses		32,436 78
Gross income over operating expenses		$16,234 43
Charges upon Income:		
Doubtful accounts	$885 57	
Interest on funded debt	25,600 00	
Interest on unfunded debt and loans	2,159 52	
Taxes	603 16	
Payment to municipalities for franchise		29,248 25
Total deduction from income		....
Deficit for year		$13,013 82

Earnings from Operation:		
From passengers carried	$36,954 48	
From mails		
From advertising in cars	581 22	
From other sources	535 51	
Total gross earnings from operation		$38,071 21

Expenses of Operation:		
General Expenses:		
Salaries of officers and clerks	$2,440 88	
General office expenses and supplies	333 51	
Legal expenses	314 63	
Insurance	812 57	
		$3,901 59

Other General Expenses:		
Advertising	....	
Miscellaneous general expenses	....	
Maintenance Roadway and Buildings:		
Repair roadbed and track	$656 99	
Repair electric line construction	271 81	
Repair of buildings	191 27	
		1,120 07
Maintenance of Equipment:		
Repairs, cars and other vehicles	$1,979 15	
Repairs of electric equipment of cars	1,678 41	
Renewals of tools and machinery	468 40	
		4,125 96
Transportation Expenses:		
Cost of motive power	$7,000 00	
Wages of persons conducting transportation	14,795 88	
Removal of snow and ice	106 51	
Damages for injuries to persons and to property ..	987 04	
		22,889 43
Other Transportation Expenses:		
Supplies, etc.	$399 73	
Cleaning, oiling and sanding tracks	....	
		399 73
Total operating expenses		$32,436 78

DESCRIPTION OF EQUIPMENT.

Description of Equipment.	Equipped for Electric Power.	Number Equipped.	Total Passenger Cars.	Equipped with Fenders.	Equipped with Electric Heaters.	Number of Motors.
Box passenger cars...............	8	....	....	8	8	....
Open passenger cars..............	....	....	....	....	....	....
Total..................	8	....	....	8	8	....
Cars other Service:						
Other cars (motor)...............	....	....	....	....	....	....
Snow ploughs (1).................	.....	....	....	....	....	....

MISCELLANEOUS EQUIPMENT.

Highway vehicles	....
Tower wagon	....
Tip carts	....

RAILWAYS OWNED AND OPERATED.

	Miles.
Length of railway line computed as single track.....	3.68
Length of sidings and switches.............................	.22
	3.90

ACCIDENTS TO PERSONS.

Killed and Injured.	From causes beyond their own control.		From their own carelessness.		Total.	
	Killed.	Injured.	Killed.	Injured.	Killed.	Injured.
Passengers	....	....	....	1	....	1
Employees	....	....	....	1	....	1
Other persons	....	....	....	....	....	....
Totals	....	....	....	2	....	2

Corporate name and address of the Company: The International Transit Company, Sault Ste. Marie, Ont.

Names and business addresses of principal officers: General Counsel, Rowell, Reid, Wilkie, Wood & Gibson, Toronto; General Auditor, J. Sterling Wynn, Sault Ste. Marie; General Manager, W. C. Franz, Sault Ste, Marie; Manager, Thomas J. Kennedy, Sault Ste. Marie.

Names and residence of Board of Directors: Walter K. Whigham, New York; Herbert Coppell, New York; Walter Gow, Toronto; Leander L. Lovell, New York; J. S. Dale, New York; J. L. Austin, Philadelphia.

We hereby certify that the statements contained in foregoing report are full, just and true.

Then personally appeared the above named and severally made oath that the foregoing certificate by them subscribed is to the best of their knowledge and belief true.

Before me

....

J. P. or Com'r.

IRONDALE, BANCROFT & OTTAWA RAILWAY.

GENERAL BALANCE SHEET, 30TH JUNE, 1909.

Assets:		
Cost of Railway:		
Roadbed and tracks	....	
Electric line construction, including poles and wiring	....	
Total cost of railway owned		$720,000 00
Cost of Equipment:		
Cars and other rolling stock and vehicles	....	
Cost of electric equipment of same	....	
Other items of equipment	....	
Office furniture	$18,250 00	
Total cost equipment		$18,250 00
Cost of Land and Buildings:		
Land necessary for operation of railway	....	
Electric power stations, including equipment	....	
Other buildings necessary for operation of railway	....	
Total cost of land and buildings owned		....
Cash	....	
Bills and accounts receivable	....	
Other current assets	....	
Miscellaneous assets	....	
Material and supplies	....	
Profit and loss balance deficit		....
Total assets		$738,250 00

Liabilities:		
Capital stock outstanding	....	$53,500 00
Funded debt	....	
Current Liabilities:		
Loans and notes payable	....	374,324 68
Audited voucher and accounts	....	
Miscellaneous liabilities	....	
Accrued Liabilities:		
Surplus, being value of land grants and subsidies...		310,425 32
Total liabilities		$738,250 00
Capital Stock:		
Authorized by law	$2,500,000 00	
Authorized by votes of Company	2,500,000 00	
Outstanding	53,500 00	
Number of stock holders	535	

Funded Debt.

Description Bonds.	Rate Interest.	Maturity Bonds.	Amount of Bonds Outstanding.	Interest paid during year.
....	....	....	....	....

Volume of Traffic, Etc.

Number of paying passengers carried during year	10,751
Number carried per mile of main track operated	224
Number of car miles run	......
Average number of persons employed	35
Company commenced operation	1884

IRONDALE, BANCROFT & OTTAWA RAILWAY COMPANY.

For the Year Ending 30th June, 1909.

General Exhibit:		
Gross earnings from operating	$26,958 44	
Less operating expenses	32,977 80	
Loss over operating expenses		$6,019 36
Charges upon Income:		
Accrued during year	....	
Interest on funded debt	....	
Interest on unfunded debt and loans	....	
Taxes	....	
Payment to municipalities for franchise	....	
Total deduction from income	....	
Surplus or deficit		....
Earnings from Operation:		
From passengers carried	$5,514 06	
From mails	704 25	
From express parcels	498 63	
From carriage freight	20,241 50	
Total gross earnings from operation		$26,958 44
Expenses of Operation:		
General Expenses:		
Salaries of officers and clerks	$5,192 61	
General office expenses and supplies	80 00	
Legal expenses	....	
Insurance	....	
		$5,272 61

Other General Expenses:		
Advertising		
Miscellaneous general expenses	241 41	
		241 41
Maintenance Roadway and Buildings:		
Repair roadbed and track	$10,308 19	
Repair electric line construction		
Repair of buildings		
		10,308 19
Maintenance of Equipment:		
Repairs, cars and locomotives	$5,015 77	
Repairs of electric equipment of cars		
Renewals of tools and machinery		
		5,015 77
Transportation Expenses:		
Fuel for locomotives	$7,472 20	
Wages of persons conducting transportation	3,715 70	
Removal of snow and ice		
Damages for injuries to persons and to property		
		11,187 90
Other Transportation Expenses:		
Car service expenses and supplies	$951 92	
Cleaning, oiling and sanding tracks		
		951 92
Total operating expenses		$32,977 80

Description of Equipment.

Description of Equipment.	—	Number Equipped	Total Passenger Cars.	Equipped with Fenders.	Equipped with Electric Heaters.	Number of Motors.
Locomotives	3					
Box passenger cars						
Open passenger cars	2					
Total	5					
Cars other Service:						
Other Cars: Box, 2; Gravel Cars, 24						
Flat Plows, 6; Flanger Car, 1						

Miscellaneous Equipment.

Highway vehicles	
Tower wagon	
Tip carts	

Railways Owned and Operated.

	Miles.
Length of railway line computed as single track	48
Length of sidings and switches	

ACCIDENTS TO PERSONS.

Killed and Injured.	From causes beyond their own control.		From their own carelessness.		Total.	
	Killed.	Injured.	Killed.	Injured.	Killed.	Injured.
Passengers	....	....	....	....	....	....
Employees	....	....	....	....	....	....
Other persons	....	....	....	....	....	....
Totals	....	....	....	....	....	....

Corporate name and address of the Company: Irondale, Bancroft and Ottawa Railway Company.

Names and business addresses of principal officers: President, L. B. Howland, Irondale, Ont.; Treasurer, L. B. Howland, Irondale, Ont.; Counsel, Blake, Lash & Cassels, Toronto, Ont.; Auditor, W. A. Ward, Irondale, Ont.; General Manager, L. B. Howland, Irondale, Ont.; Superintendent, Chas. Hutchinson, Irondale, Ont.

Names and residence of Board of Directors: L. B. Howland, Irondale; Erwin Neil, J. L. Lovell, W. Bain, R. P. Ormsby, Robert Gowans, Toronto.

We hereby certify that the statements contained in foregoing report are full, just and true.

Then personally appeared the above named and severally made oath that the foregoing certificate by them subscribed is to the best of their knowledge and belief true.

Before me

....

J. P. or Com'r.

MIDLAND TERMINAL RAILWAY COMPANY.

GENERAL BALANCE SHEET, 30TH JUNE, 1909.

Assets:		
Cost of Railway:		
Roadbed and tracks	$20,742 67	
Electric line construction, including poles and wiring	....	
Total cost of railway owned		$20,742 67
Cost of Equipment:		
Rolling stock	$12,500 00	
Equipment	122 20	
Other items of equipment	....	
Office furniture	....	
Total cost equipment		12,622 20
Cost of Land and Buildings:		
Land necessary for operation of railway	$228,680 14	
Electric power stations, including equipment	....	
Other buildings necessary for operation of railway	300 00	
Total cost of land and buildings owned		228,980 14
Cash	....	
Bills and accounts receivable	....	
Other current assets	....	
Miscellaneous assets	....	
Material and supplies	....	
Profit and loss balance deficit		3,262 36
Total assets		$265,608 37
Liabilities:		
Capital stock	$250,000 00	
		$250,000 00

Current Liabilities:		
Loans and notes payable Canadian Iron Corporation	$15,608 37	
Audited voucher and accounts	....	
Miscellaneous current liabilities	....	
		15,608 37
Accrued Liabilities:		
Interest accrued and not due	....	
Profit and loss account balance surplus	....	
Total liabilities		$265,608 37

Capital Stock:	
Authorized by law	$500,000 00
Authorized by votes of Company	250,000 00
Outstanding	250,000 00
Number of stock holders	12

FUNDED DEBT.

Description Bonds.	Rate Interest.	Maturity Bonds.	Amount of Bonds Outstanding.	Interest paid during year.
....	....	....	....	....

VOLUME OF TRAFFIC, ETC.

Number of paying passengers carried during year	None.
Number carried per mile of main track operated	None.
Number of car miles run	None.
Average number of persons employed	None.
Company commenced operation	None.

MIDLAND TERMINAL RAILWAY COMPANY.

FOR THE YEAR ENDING 30TH JUNE, 1909.

General Exhibit:		
Gross earnings from operating	$12,330 54	
Less operating expenses	13,334 63	
Loss on operation		$1,004 09
Charges upon Income:		
Accrued during year	....	
Interest on funded debt	....	
Interest on unfunded debt and loans	....	
Taxes	....	
Payment to municipalities for franchise	....	
Total deduction from income	....	
Surplus or deficit		....
Earnings from Operation:		
From passengers carried	....	
From freight	$12,330 54	
From advertising in cars	....	
From other sources	....	
Total gross earnings from operation		$12,330 54
Expenses of Operation:		
General Expenses:		
Salaries of officers and clerks	....	
General office expenses and supplies	$557 35	
Legal expenses	....	
Insurance	....	
		$557 35

Other General Expenses:		
Advertising	....	
Miscellaneous general expenses	....	
Maintenance Roadway and Buildings:		
Repair roadbed and track	$1,879 86	
Repair electric line construction	....	
Repair of buildings	....	
		1,879 86
Maintenance of Equipment:		
Repairs, cars and other vehicles	$121 74	
Repairs of locomotives	1,561 49	
Renewals of tools and machinery	....	
		1,683 23
Transportation Expenses:		
Cost of motive power	$5,215 34	
Wages of persons conducting transportation	3,498 85	
Rentals, etc.	500 00	
Damages for injuries to persons and to property	....	
		9,214 19
Other Transportation Expenses:		
Car service, expenses and supplies	....	
Cleaning, oiling and sanding tracks	....	
Total operating expenses		$13,334 63

DESCRIPTION OF EQUIPMENT.

Description of Equipment.	—	Number Equipped.	Total Passenger Cars.	Equipped with Fenders.	Equipped with Electric Heaters.	Number of Motors.
Flat cars	8	....	....	....	....	....
Open passenger cars	....	....	....	....	....	....
Total	8	....	....	....	....	....
Cars other Service:						
Other cars (motor)	....	....	....	....	....	....
Snow ploughs	....	....	....	....	....	....

MISCELLANEOUS EQUIPMENT.

Locomotives	2
Tower wagon	....
Tip carts	....

RAILWAYS OWNED AND OPERATED.

	Miles.
Length of railway line computed as single track	2
Length of sidings and switches	....

ACCIDENTS TO PERSONS.

Killed and Injured.	From causes beyond their own control.		From their own carelessness.		Total.	
	Killed.	Injured.	Killed.	Injured.	Killed.	Injured.
Passengers	....	....	....	....	....	....
Employees	....	....	....	....	....	....
Other persons	....	....	....	....	....	....
Totals	....	....	....	....	....	....

Corporate name and address of the Company: The Midland Terminal Railway Co., Midland, Ont.

Names and business addresses of principal officers: President, John J. Drummond, Midland; Treasurer, A. K. Fisk, Mark Fisher Bldg., Montreal, Que.; Clerk of Corporation, A. C. Adams, Midland; General Counsel, W. J. White, K.C.; Montreal, Que.; General Manager, John J. Drummond, Midland; Superintendent, John J. Drummond, Midland.

Names and residence of Board of Directors: John J. Drummond, Midland; Arthur K. Fisk, Montreal, Que.; George E. Drummond, Montreal, Que.; Charles Ed. Gudewill, Montreal, Que.; Frank Leeming, Brantford, Ont.; Richard Milton, Montreal, Que.

JOHN J. DRUMMOND,
G. E. DRUMMOND,
A. K. FISK.
R. MILTON.

Then personally appeared the above named and severally made oath that the foregoing certificate by them subscribed is to the best of their knowldge and belief true.

Before me

(Signed) G. A. SAVAGE,
J. P. or Com'r.

NIAGARA FALLS PARK & RIVER DIVISION OF THE INTERNATIONAL RAILWAY COMPANY.

GENERAL BALANCE SHEET, 30TH JUNE, 1909.

Assets:		
Cost of Railway:		
Roadbed and tracks	....	
Electric line construction, including poles and wiring	....	
Total cost of railway owned	....	
Cost of Equipment:		
Cars and other rolling stock and vehicles	....	
Cost of electric equipment of same	....	
Other items of equipment	....	
Total cost equipment	....	
Cost of Land and Buildings:		
Land necessary for operation of railway	....	
Electric power stations, including equipment	....	
Other buildings necessary for operation of railway	....	
Total cost of land and buildings owned	....	

Cash	....	
Bills and accounts receivable	....	
Other current assets	....	
Miscellaneous assets	....	
Material and supplies	....	
Profit and loss balance deficit		....
Total assets		....

The assets of this division of the International Railway Company are owned by parent company and no separation of the assets has been made, nor has a separate record been kept of the assets or liabilities of this branch of the Company.

Liabilities:

Capital stock	....	
Funded debt	....	

Current Liabilities:

Loans and notes payable	....	
Audited voucher and accounts	....	
Miscellaneous current liabilities	....	

Accrued Liabilities:

Interest accrued and not due	....	
Profit and loss account balance surplus	....	
Total liabilities		....

The liabilities of this division of the Railway are not distinguished from those of the parent Company, nor is there any separate record of the liabilities relating to this division.

Capital Stock:

Authorized by law	....
Authorized by votes of Company	....
Outstanding	....
Number of stockholders	....

This division has no capital stock separate and apart from the capital stock of the International Railway Company.

FUNDED DEBT.

Description Bonds.		Rate Interest.	Maturity Bonds.	Amount of Bonds Outstanding.	Interest paid during year.
....	....	....	....	....	....

VOLUME OF TRAFFIC, ETC.

Number of paying passengers carried during year	1,180,882
Number carried per mile of main track operated	97,304
Number of car miles run	356,652
Average number of persons employed	54
Company commenced operation	1892

NIAGARA FALLS PARK & RIVER DIVISION OF THE INTERNATIONAL RAILWAY COMPANY.

For the Year Ending 30th June, 1909.

General Exhibit:		
Gross earnings from operating	$133,514 02	
Less operating expenses	70,315 30	
Gross income over operating expenses		$63,198 72
Income from rents of lands and buildings		6,625 69
From securities owned, etc		....
		$69,824 41
Charges upon Income:		
Accrued during year	....	
Interest on funded debt	$30,000 00	
Interest on unfunded debt and loans	....	
Taxes, Municipal $2,162.67, Provincial $169.42	2,332 09	
Payment to municipalities for franchise	....	
Total deduction from income		$32,332 09
Surplus or deficit		$37,492 32
Earnings from Operation:		
From passengers carried	$129,605 90	
From carriage of parcels	626 75	
From mails	199 96	
From switching	650 00	
From advertising in cars	711 00	
(*a*) From other sources	1,720 41	
Total gross earnings from operation		$133,514 02

(*a*) From rental buildings	$260 00
From rent of equipment	29 42
From sale of power	597 43
From chartered cars	833 56
	$1,720 41

Expenses of Operation:		
General Expenses:		
Salaries of officers and clerks	$2,599 83	
General office expenses and supplies	1,071 95	
Legal expenses	580 34	
Insurance	2,159 48	
		$6,411 60
Other General Expenses:		
Advertising	....	
Miscellaneous general expenses	$3,288 55	
		3,288 55
Maintenance Roadway and Buildings:		
Repair roadbed and track	$1,588 44	
Repair electric line construction	1,323 23	
Repair of buildings	362 36	
		3.274 03
Maintenance of Equipment:		
Repairs, cars and other vehicles	$2,895 51	
Repairs of electric equipment of cars	1,666 13	
Renewals of tools and machinery	138 68	
		4,700 32
Right of way		10,000 00

Transportation Expenses:		
Cost of motive power	$6,330 94	
Wages of persons conducting transportation	23,119 90	
Removal of snow and ice	738 81	
Damages for injuries to persons and to property..	1,147 57	
		31,337 22
Other Transportation Expenses:		
Other expenses		3,153 49
Depreciation		8,150 09
Total operating expenses		$70,315 30

Description of Equipment.

Description of Equipment.	Equipped for Electric Power.	Number Equipped.	Total Passenger Cars.	Equipped with Fenders.	Equipped with Electric Heaters.	Number of Motors.
Box passenger cars................	9	....	....	....	9	....
Open passenger cars...............	18	....	....	....	....	....
Total..................	27	....	....	....	9	....
Cars other Service:						
Other cars (motor); platform cars (2)	....	....	....	....	....	....
Snow ploughs (1); baggage cars (2)	....	....	....	....	....	....

Miscellaneous Equipment.

Highway vehicles	....
Tower wagon	....
Tip carts	....

Railways Owned and Operated.

	Miles.
Length of railway line computed as single track........................	19.330
Length of sidings and switches..	1.420
	20.750

Accidents to Persons.

Killed and Injured.	From causes beyond their own control.		From their own carelessness.		Total.	
	Killed.	Injured.	Killed.	Injured.	Killed.	Injured.
Passengers..........................	....	3	....	....	....	3
Employees...........................	....	2	....	....	....	2
Other persons........................	....	....	1	....	1	....
Totals.....................	....	5	1	....	1	5

Corporate name and address of the Company: Niagara Falls, Park & River Division of the International Railway Co., Ellicott Square, Buffalo, N.Y.

Names and business addresses of principal officers: President, Thomas Penney, Ellicott Square, Buffalo, N.Y.; Vice-President, Thos. E. Mitten, 1st National Bank Building, Chicago, Ill.; Treasurer, Geo. H. Whitwell, Ellicott Square, Buffalo, N.Y.; Clerk of Corporation, Jas. W. Crawford, Ellicott Square, Buffalo, N.Y.; Gen. Counsel, Norton Penney & Sears, Ellicott Square, Buffalo, N.Y.; Auditor, Chas. A. Chavel, Ellicott Square, Buffalo, N.Y.; Gen. Manager, Thos. W. Wilson, Ellicott Square, Buffalo, N.Y.; Superintendent, Marcus Sheehan, Park & River Division, Niagara Falls, N.Y.

Names and residence of Board of Directors: Edmund B. Osler, Toronto, Ont.; Oliver H. Payne, New York City; Thos. Penney, Buffalo, N.Y.; Robt. W. Pomeroy, Buffalo, N.Y.; Nelson Robinson, New York City; Arch M. Robinson, Louisville, K.Y.; John C. Russell, Louisville, Ky.; George I. Seney, Buffalo, N.Y.; Henry M. Watson Buffalo, N.Y.; Henry C. Zeller, Buffalo, N.Y.

We hereby certify that the statements contained in foregoing report are full, just and true.

Then personally appeared the above named (Marcus Sheehan and George H. Whitwell) and severally made oath that the foregoing certificate by them subscribed is to the best of their knowledge and belief true.

Before me

(Signed) GEORGE CHAMBERS,
N. P., Erie County, N.Y., U.S.

KINGSTON, PORTSMOUTH AND CATARAQUI RAILWAY COMPANY.

GENERAL BALANCE SHEET, 30TH JUNE, 1909.

Assets:—		
Cost of Railway:		
Roadbed and Tracks	....	
Electric line construction, including poles and wiring	....	
Total cost of railway owned	....	
Cost of Equipment:		
Cars and other rolling stock and vehicles	....	
Cost of electric equipment of same	....	
Other items of equipment	....	
Office furniture	....	
Total cost equipment	....	
Cost of Land and Buildings:		
Land necessary for operation of railway	....	
Electric power stations, including equipment	....	
Other buildings necessary for operation of railway	....	
Total cost of land and buildings owned	....	
Estimated value		$185,100 00
Cash	....	
Bills and accounts receivable	....	
Other current assets	....	
Miscellaneous assets	....	
Material and supplies	....	
Profit and loss balance deficit	....	
Total assets		$185,100 00
Liabilities:		
Capital stock, common, $40,000; preferred, $43,100	....	$83,100 00
Funded debt	....	100,000 00
Current Liabilities:		
Loans and notes payable	....	
Audited voucher and accounts	....	
Miscellaneous current liabilities	....	

Accrued Liabilities:		
Interest accrued and not due	2,000 00	2,000 00
Profit and loss account balance surplus	....	
Total liabilities		$185,100 00

Capital Stock:	
Authorized by law: Common	$40,000 00
" Preferred	43,100 00
Authorized by votes of Company: Common	40,000 00
" Preferred	43,100 00
Outstanding	....
Number of stock holders	25

Description Bonds.	Rate Interest.	Maturity Bonds.	Amount of Bonds Outstanding.	Interest paid during year.
....	....	....	....	....

Volume of Traffic, Etc.

Number of paying passengers carried during year	753,265
Number carried per mile of main track operated	94,158
Number of car miles run	199,680
Average number of persons employed	19
Company commenced operation	1876

KINGSTON, PORTSMOUTH & CATARAQUI RAILWAY COMPANY.

For the Year Ending 30th June, 1909.

General Exhibit:		
Gross earnings from operating	$34,892 49	
Less operating expenses	27,105 35	
Gross Income over operating expenses		$7,787 14
Charges upon income:		
Accrued during year	....	
Interest on funded debt	$4,040 00	
Expenses Lake Ontario Park	4,622 48	
		8,662 48
Taxes	....	
Payment to municipalities for franchise	....	
Total deduction from income	....	
Deficit		$875 34

Earnings from Operation:		
From passengers carried	$30,625 15	
From rentals of buildings and property	816 98	
From advertising in cars	300 00	
From other sources, insurance	3,150 36	
Total gross earnings from operation		$34,892 49

Expenses of Operation:		
General Expenses:		
Salaries of officers and clerks	$1,818 75	
General office expenses and supplies	315 92	
Legal expenses	....	
Insurance	....	
		$2,134 67

Other General Expenses:		
Lake Ontario Park	$4,622 48	
Miscellaneous general expenses	1,312 21	
		5,934 69
Maintenance roadway and buildings:		
Repair roadbed and track	$1,844 74	
Repair electric line construction	358 28	
Wages	....	
		2,203 02
Maintenance of Equipment:		
Repairs, cars and other vehicles	....	
Repairs of electric equipment of cars	$1,737 49	
Renewals of tools and machinery	....	
		1,737 49
Transportation Expenses:		
Cost of motive power	$4,680 73	
Wages of persons conducting transportation	2,340 97	
" "	7,425 62	
Removal of snow and ice	442 98	
Damages for injuries to persons and to property	205 18	
		15,095 48
Other Transportation Expenses:		
Car service expenses and supplies	....	
Cleaning, oiling and sanding tracks	....	
Total operating expenses		$27,105 35

Description of Equipment.

Description of Equipment.	Equipped for Electric Power.	Number Equipped.	Total Passenger Cars.	Equipped with Fenders.	Equipped with Electric Heaters.	Number of Motors.
Box passenger cars	11	....	....	....	....	....
Open passenger cars	12	....	....	....	....	....
Total	23	....	....	....	....	....
Cars—Other Service:						
Other cars (motor) 1 electraft, 1 coal car	....	....	....	....	....	....
Snow plows (2)	....	....	....	....	....	....

Miscellaneous Equipment.

Highway vehicles	....
Tower wagon	....
Tip carts	....

Railways Owned and Operated.

	Miles.
Length or railway line computed as single track	8
Length of sidings and switches	....

ACCIDENTS TO PERSONS.

Killed and Injured.	From causes beyond their own control.		From their own carelessness.		Total.	
	Killed.	Injured.	Killed.	Injured.	Killed.	Injured.
Passengers	....	....	....	2	....	2
Employees	....	....	....	....	....	....
Other persons	....	....	....	....	....	....
Totals	....	....	....	2	....	2

Corporate name and address of the Company: The Kingston, Portsmouth & Cataraqui Electric Railway Co., Kingston, Ontario.

Names and business addresses of principal officers: President, Henry W. Richardson, Kingston; Vice President, Robert V. Rogers, Kingston; Secretary and Treasurer, William F. Nickle, Kingston; Gen. Counsel, William F. Nickle, Kingston; Superintendent, Hugh C. Nickle, Kingston.

Names and residence of Board of Directors: Henry W. Richardson, Kingston; Robert V. Rogers, Kingston; William F. Nickle, Kingston; Hugh C. Nickle, Kingston; George Richardson, Kingston; James Richardson, Kingston; W. D. Ross, Toronto.

We hereby certify that the statements contained in foregoing report are full, just and true.

(Signed) W. F. NICKLE.
H. W. RICHARDSON.
GEO T. RICHARDSON.
R. V. ROGERS.

Then personally appeared the above named and severally made oath that the foregoing certificate by them subscribed is to the best of their knowledge and belief true.

Before me,

(Signed) J. LATURNEY,
A Com'r, Etc.

LONDON STREET RAILWAY COMPANY.

GENERAL BALANCE SHEET, 30TH JUNE, 1909.

Assets:		
Cost of Railway:		
Roadbed and tracks	$585,203 47	
Electric line construction, including poles and wiring	67,441 14	
Interest accrued during construction	71,000 00	
		$723,644 61
Cost of Equipment:		
Cars and other rolling stock and vehicles	$113,274 55	
Cost of electric equipment of same	78,107 53	
Other items of equipment	29,548 60	
Office furniture	....	
Total cost equipment		220,930 68
Cost of Land and Buildings:		
Land necessary for operation of railway	$87,249 55	
Electric power stations, including equipment	96,488 51	
Other buildings necessary for operation of railway	2,689 86	

Miscellaneous assets		186,427 92
Total cost of land and buildings owned		5,786 80
Cash	$16,276 82	
Bills and accounts receivable	1,884 34	
Other current assets (unexpired insurance)	5,363 81	
		23,524 97
Miscellaneous assets, suspense	$8,477 18	
Material and supplies	25,706 22	
		34,183 40
Profit and loss balance deficit	....	
Total assets		$1,194,498 38
Liabilities:		
Capital stock	....	$550,000 00
Funded debt	....	575,000 00
Re Mortgage	....	750 00
Tickets outstanding	....	7,675 12
Current Liabilities:		
Loans and notes payable	....	
Audited voucher and accounts	....	14,645 97
Miscellaneous current liabilities, Damage fund	....	1,898 02
Accrued Liabilities:		
Taxes	$2,250 00	
Interest accrued and not due	8,859 19	
Profit and loss account balance surplus	33,420 08	
		44,529 27
Total liabilities		$1,194,498 38

Capital Stock:		
Authorized by law	....	$750,000 00
Authorized by votes of Company	....	600,000 00
Outstanding	....	550,000 00
Number of stock holders	....	64

FUNDED DEBT.

Description Bonds.	Rate Interest.	Maturity Bonds.	Amount of Bonds Outstanding.	Interest paid during year.
First Mortgage	5 per cent.	March 8 1925	$575,000	$25,000

VOLUME OF TRAFFIC,, ETC.

Number of paying passengers carried during year	6,460 709
Number carried per mile of main track operated	193,203
Number of car miles run	1,426,339
Average number of persons employed	208
Company commenced operation	March 29, 1873

LONDON STREET RAILWAY COMPANY.

FOR THE YEAR ENDING 30TH JUNE, 1909.

General Exhibit:		
Gross earnings from operating	$238,875 63	
Theatre	341 29	
		$239,216 92
Less operating expenses	....	162,493 47
Gross income over operating expenses		$76,723 45

Charges upon income:		
Accrued during year	....	
Interest on funded debt	$26,461 58	
Interest on unfunded debt and loans	2,491 92	
Taxes—Municipal, $4,202.32; Provincial, $451.20	4,653 52	
Payment to municipalities for franchise	....	
Theatre	768 59	
Total deduction from income		34,375 61
Surplus		$42,347 84
Earnings from Operation:		
From passengers carried	$234,732 59	
From mails	1,240 00	
From advertising in cars	1,266 50	
From other sources	1,636 54	
Total gross earnings from operation		$238,875 63
Expenses of Operation:		
General Expenses :		
Salaries of officers and clerks	$5,697 49	
General office expenses and supplies	697 25	
Legal expenses	756 74	
Insurance	2,165 00	
		$9,316 48
Other General Expenses:		
Store room	$600 00	
Miscellaneous expenses	2,104 61	
Miscellaneous general expenses		2,704 61
Maintenance Roadway and Buildings:		
Repair roadbed and track	$13,016 07	
Repair electric line construction	2,220 54	
Repair of buildings	633 05	
Shop expenses ...	2,377 15	
		18,246 81
Maintenance of Equipment:		
Repairs, cars and other vehicles	$11,007 33	
Repairs of electric equipment of cars	8,463 67	
Renewals of tools and machinery	941 13	
		20,412 13
Transportation Expenses:		
Cost of motive power	$33,664 13	
Wages of persons conducting transportation	63,098 09	
Removal of snow and ice	958 70	
Damages for injuries to persons and to property	9,436 14	
		107,157 06
Other Transportation expenses:		
Car service expenses and supplies and sand	$4,656 38	
Cleaning, oiling and sanding tracks	....	4,656 38
Total operating expenses		$162,493 47

Description of Equipment.	Equipped for Electric Power.	Trailers.	Total Passenger Cars.	Equipped with Fenders.	Equipped with Electric Heaters.	Number of Motors.
Box passenger cars	39	....	....	39	39	....
Open passenger cars	9	5	....	9	....	....
Total	48	....	....	....	....	....
Cars other service—						
Other cars (motor) flat (2) snow lifter (1)	....	....	....	....	....	....
Snow plows	1	....	....	....	....	....

MISCELLANEOUS EQUIPMENT.

Highway vehicles	2
Tower wagon	....
Horses	2

RAILWAY OWNED AND OPERATED.

	Miles.
Length of railway line computed as single track	252.22
Second line	70.91
Length of sidings and switches	11.27
	334.40

ACCIDENTS TO PERSONS.

Killed and Injured.	From causes beyond their own control.		From their own carelessness.		Total.	
	Killed.	Injured.	Killed.	Injured.	Killed.	Injured.
Passengers	....	30	....	....	....	30
Employees	....	....	....	7	....	7
Other persons	....	....	1	....	1	....
Totals	....	30	1	7	1	37

Corporate name and address of the Company: The London Street Railway Company.

Names and business addresses of principal officers: President, H. A. Everett, Cleveland; Vice-President, T. H. Smallman, London; Treasurer, G. H. Bentson, London; Clerk, G. H. Bentson, London; Counsel, Ivey & Dromgole, London; Auditors, A. E. Jerdon & F. H. Coles, London; General Manager, C. B. King; Superintendent, E. Whitaker.

Names and residences of Board of Directors: H. A. Everett, Cleveland; C. W. Wason; E. N. Moore, Cleveland; H. S. Holt, Montreal; T. H. Smallman, London; P. W. D. Broderick, London; W. M. Spicer, London.

We hereby certify that the statements contained in foregoing report are full, just and true.

(Signed) G. H. BENTSON.
C. B. KING.

Then personally appeared the above named and severally made oath that the foregoing certificate by them subscribed is to the best of their knowledge and belief true.

Before me

(Signed) C. H. GREY.
N.P.

PETERBORO RADIAL RAILWAY COMPANY.

GENERAL BALANCE SHEET, 30TH JUNE, 1909.

Assets:		
Cost of Railway:		
Roadbed and tracks	$29,173 86	
Electric line construction, including poles and wiring	3,474 26	
Engineering, survey, etc.	5,027 68	
Total cost of railway owned		$37,675 80

Cost of Equipment:		
Cars and other rolling stock and vehicles	$23,107 91	
Cost of electric equipment of same	4,788 46	
Paid for old Railway	108,692 75	
Other items of equipment	....	
Office furniture	....	
Total cost equipment		136,589 12
Cost of Land and Buildings:		
Land necessary for operation of railway	$1,435 00	
Electric power stations, including equipment	1,287 27	
Other buildings necessary for operation of railway		
Total cost of land and buildings owned		2,722 27
Cash	$3,028 46	
Bills and accounts receivable	67 61	
Other current assets	844 30	
Miscellaneous assets	....	
Material and supplies	1,957 49	
		5,897 86
Profit and loss balance deficit		....
Total assets		$182,885 05

Liabilities:		
Capital Stock		$100,000 00
Funded debt		50,000 00
Current Liabilities:		
Loans and notes payable	$29,630 97	
Audited voucher and accounts	231 86	
Miscellaneous current liabilities	....	
		29,862 83
Accrued Liabilities:		
Interest accrued and not due	$833 33	
Special funds	2,188 89	
		3,022 22
Total liabilities		$182,885 05

Capital Stock:	
Authorized by law	$500,000 00
Authorized by votes of Company	....
Outstanding	100,000 00
Number of stockholders	....

FUNDED DEBT.

Description Bonds.	Rate Interest.	Maturity Bonds.	Amount of Bonds Outstanding.	Interest paid during year.
First Mortgage Bonds......	5 per cent.	March 1 1934	$50,000	$2,500

VOLUME OF TRAFFIC.

Number of paying passengers carried during year	622,145
Number carried per mile of main track operated	121,960
Number of car miles run	257,450
Average number of persons employed	42
Company commenced operation	1902

PETERBORO RADIAL RAILWAY COMPANY.

For the Year Ending 30th June, 1909.

General Exhibit:		
Gross earnings from operating	$28,746 10	
Less operating expenses	25,001 01	
Gross income over operating expenses		$3,745 09
Charges upon Income:		
Accrued during year	....	
Interest on funded debt	$2,500 00	
Interest on unfunded debt and loans	1,467 07	
Taxes (Provincial taxes)	85 20	
Payment to municipalities for franchise	....	
Total deduction from income		4,052 27
Surplus or deficit		$307 18
Earnings from Operation:		
From passengers carried	$28,270 66	
From mails	....	
From advertising in cars	200 00	
From other sources	275 44	
Total gross earnings from operation		$28,746 10
Expenses of Operation:		
General Expenses:		
Salaries of officers and clerks	$2,592 99	
General office expenses and supplies	259 86	
Legal expenses	255 70	
Insurance	1,061 72	
		$4,170 27
Other General Expenses:		
Advertising and other expenses	$1,396 03	
Miscellaneous general expenses	....	
		1,396 03
Maintenance Roadway and Buildings:		
Repair roadbed and track	$1,749 25	
Repair electric line construction	118 39	
Repair of buildings	....	
		1,867 64
Maintenance of Equipment:		
Repairs, cars and other vehicles	$1,585 12	
Repairs of electric equipment of cars	938 72	
Renewals of tools and machinery	....	
		2,523 84
Transportation Expenses:		
Cost of motive power	$1,500 00	
Wages of persons conducting transportation	11,980 58	
Removal of snow and ice	133 17	
Damages for injuries to persons and to property	....	
		13,613 75
Other Transportation Expenses:		
Car service expenses and supplies	$1,429 48	
Cleaning, oiling and sanding tracks	....	
		1,429 48
Total operating expenses		$25,001 01

DESCRIPTION OF EQUIPMENT.

Description of Equipment.	Equipped for Electric Power.	Number Equipped.	Total Passenger Cars.	Equipped with Fenders.	Equipped with Electric Heaters.	Number of Motors.
Box passenger cars	8 Trailers	....	....	......	8	......
Open passenger cars	2	4	....	14	2 Stoves	......
Totals	10	4	....	14	10	......
Cars—other Service—						
Other cars (motor)	....	....	....	......	....	......
Snow ploughs (1) snow sweeps (1).	....	....	....	......	....	......

MISCELLANEOUS EQUIPMENT.

Highway vehicles	....
Tower wagon	....
Tip carts	....

RAILWAY OWNED AND OPERATED.

	Miles.
Length of railway line computed as single track	5.1
Length of sidings and switches	.142
	5.242

ACCIDENTS TO PERSONS.

Killed and Injured.	From causes beyond their own control.		From their own carelessness.		Total.	
	Killed.	Injured.	Killed.	Injured.	Killed.	Injured.
Passengers	....	....	....	....	....	....
Employees	....	....	....	....	....	....
Other persons	....	....	....	....	....	....
Totals	....	....	....	....	....	....

Corporate name and address of the Company: The Peterboro Radial Railway Company, Peterboro, Ont.

Names and business addresses of principal officers: President, Robert Stuart, Chicago, Ill.; Vice-President, James C. Shook, Peterboro, Ont.; Treasurer, Robert Gordon, Chicago, Ill.; General Counsel, Dennistown, Pick & Kerr, Peterboro, Ont.; Auditor, Robert Gordon, Chicago, Ill.; General Manager, John H. Larmonth, Peterboro Ont.; Elect. Engineer, Homer O. Fisk.

Names and residence of Board of Directors: Robert Stuart, Henry P. Crowell, Chicago, Ill.; James C. Shook, Thos. E. Bradburn, John H. Larmonth, Peterboro, Ont.; John Stuart, Robert Gordon, Chicago, Ill.

We hereby certify that the statements contained in foregoing report are full, just and true.

Then personally appeared the above named and severally made oath that the foregoing certificate by them subscribed is to the best of their knowledge and belief true.

Before me

....

J. P. or Com'r.

PORT ARTHUR AND FORT WILLIAM ELECTRIC RAILWAY.

GENERAL BALANCE SHEET, 30TH JUNE, 1909.

Assets:		
Cost of Railway:		
Roadbed and tracks		
Electric line construction, including poles and wiring		
Total cost of railway owned		
Cost of Equipment:		
Cars and other rolling stock and vehicles		
Cost of electric equipment		
Other items of equipment		
Office furniture		
Total cost of equipment		
Cost of Land and Buildings:		
Land necessary for operation of railway		
Electric power stations, including equipment		
Other buildings necessary for operation of railway		
Total cost of land and buildings owned		$441,977 44
Owned by Port Arthur	$308,050 06	
Owned by Fort William	133,927 38	
Cash	16,285 37	
Bills and accounts receivable	2,599 34	
Other current assets		
Miscellaneous assets (a)	17,774 16	
Material and supplies	2,956 15	
		36,658 87
Total assets		$481,592 46
Liabilities:		
Capital stock		
Funded debt		$441,977 44
Current Liabilities:		
Loans and notes payable		
Audited voucher and accounts	$1,278 43	
Miscellaneous current liabilities	38,336 59	
		39,615 02
Accrued Liabilities:		
Interest accrued and not due		
Profit and loss account balance surplus		
Total liabilities		$481,592 46
Capital Stock:		
Authorized by law		
Authorized by votes of Company		
Outstanding		
Number of stock holders		

FUNDED DEBT.

Description Bonds.	Rate Interest.	Maturity Bonds.	Amount of Bonds Outstanding.	Interest paid during year.
First Mortgage	5 per cent.	Various dates.	$293,383.89	$13,720.16

VOLUME OF TRAFFIC.

Number of paying passengers carried during year	2,319,794
Number carried per mile of main track operated............	147,018
Number of car miles run............	389,420
Average number of persons employed	......
Company commenced operation	1893

(a) This item includes an amount not yet determined to City of Fort William for interest and Sinking Fund on Expenditures, balance to City of Port Arthur according to the terms of the award.

PORT ARTHUR AND FORT WILLIAM ELECTRIC RAILWAY.

FOR THE YEAR ENDING 30TH JUNE.

General Exhibit:		
Gross earnings from operating	$103,410 65	
Less operating expenses	65,986 66	
Gross income over operating expenses		$37,423 99
Charges upon Income:		
Accrued during year	....	
Interest on funded debt	$13,720 16	
Interest on unfunded debt and loans	....	
Taxes	....	
Payment to municipalities for franchise	....	
Total deduction from income	....	
		13,720 15
Surplus or deficit		$23,703 83
Earnings from Operation:		
From sale of power	$728 59	
From passengers carried	99,112 46	
From parcels and baggage, etc.	1,273 79	
From advertising in cars	467 44	
From carriage of freight	1,400 89	
From other sources	427 48	
Total gross earnings from operation		$103,410 65
Expenses of Operation:		
General Expenses:		
Salaries of officers and clerks	....	
General office expenses and supplies	....	
Legal expenses	....	
Insurance	....	
Other General Expenses:		
Advertising	.....	
Miscellaneous general expenses	....	

Maintenance Roadway and Buildings:		
Repair roadbed and track	....	
Repair electric line construction	....	
Repair of buildings	....	
Maintenance of Equipment:		
Repairs, cars and other vehicles	....	
Repairs of electric equipment of cars	....	
Renewals of tools and machinery	....	
		(a) $52,926 86
Transportation Expenses:		
Cost of motive power	$13,059 80	
Wages of persons conducting transportation	....	
Removal of snow and ice	....	
Damages for injuries to persons and to property	....	
		13,059 80
Other Transportation Expenses:		
Car service expenses and supplies	....	
Cleaning, oiling and sanding tracks	....	
Total operating expenses		$65,986 66

(a) Records for first 8 months of year are not kept to admit of detailed figures as requested. From 1st March records are kept to conform with classification of operating accounts.

Description of Equipment.

Description of Equipment.	Equipped for Electric Power.	Number Equipped.	Total Passenger Cars.	Equipped with Fenders.	Equipped with Electric Heaters.	Number of Motors.
Box passenger cars	12	....	....	9	4	....
Open passenger cars	2	....	....	2	5 stoves	....
Totals	14	....	....	11	9	....
Cars—other Service—						
Other cars (motor) (1 trailer) (1 baggage car)	....	....	....	....	....	....
Snow plows (1)	....	....	....	....	....	....

Miscellaneous Equipment.

Highway vehicles	....
Tower wagon	....
Tip carts	....

Railway Owned and Operated.

	Miles.
Length of railway line computed as single track	157.79
Length of sidings and switches	7.41
	165.20

ACCIDENTS TO PERSONS.

Killed and Injured.	From causes beyond their own control.		From their own carelessness.		Total.	
	Killed.	Injured.	Killed.	Injured.	Killed.	Injured
Passengers	....	....	....	....	....	....
Employees	....	....	....	2	....	2
Other persons	....	....	....	....	....	....
Totals	....	....	....	2	....	2

Corporate name and address of the Company: The Port Arthur & Fort William Electric Railway.

Names and business addresses of principal officers: Chairman of Commissioners, C. W. Jarvis, Fort William; Secretary and Treasurer, M. C. Wilson, Port Arthur; General Counsel, W. F. Langworthy, Port Arthur; Auditor, P. H. B. Dawson, Fort William; General Manager and Superintendent, N. C. Pilcher, Port Arthur.

Names and residence of Board of Directors: Chairman, Charles W. Jarvis, Fort William; Commissioners, George Hodder, Walter F. Fortune, Port Arthur; William J. Ross, William McCall, Fort William.

We hereby certify that the statements contained in foregoing report are full, just and true.

(Signed) M. C. WILSON,
Sec. and Treasurer,

N. C. PILCHER.
Superintendent.

Then personally appeared the above named: C. W. Jarvis, George Hodder, W. F. Fortune, W. J. Ross, William McCall, and severally made oath that the foregoing certificate by them subscribed is to the best of their knowledge and belief true.

(Signed) WM. LANGWORTHY,
J. P. or Com'r.

ST. THOMAS STREET RAILWAY COMPANY.

GENERAL BALANCE SHEET, 30TH JUNE, 1909.

Assets:		
Cost of Railway:		
Roadbed and tracks	....	
Electric line construction, including poles and wiring	....	
Total cost of railway owned	....	
Cost of Equipment:		
Cars and other rolling stock and vehicles	....	
Cost of electric equipment	....	
Other items of equipment	....	
Office furniture	....	
Total cost of equipment		....
Cost of Land and Buildings:		
Land necessary for operation of railway	....	
Electric power stations, including equipment	....	
Other buildings necessary for operation of railway	....	
Total cost of land and buildings owned		....

Cash	....	
Bills and accounts receivable	....	
Other current assets	....	
Miscellaneous assets	....	
Material and supplies	....	
Profit and loss balance deficit	....	....
Total assets	....	....

Liabilities:	
Capital stock	....
Funded debt	....
Current Liabilities:	
Loans and notes payable	....
Audited voucher and accounts	....
Miscellaneous current liabilities	....
Accrued Liabilities:	
Interest accrued and not due	....
Profit and loss account balance surplus	....
Total liabilities	....
Capital Stock:	
Authorized by law	....
Authorized by votes of Company	....
Outstanding	....
Number of stock holders	....

FUNDED DEBT.

Description Bonds.	Rate Interest.	Maturity Bonds.	Amount of Bonds Outstanding.	Interest paid during year.
....	....	....	....	....

VOLUME OF TRAFFIC.

Number of paying passengers carried during year	....
Number carried per mile of main track operated	....
Number of car miles run	....
Average number of persons employed	....
Company commenced operation	....

ST. THOMAS STREET RAILWAY COMPANY.

FOR THE YEAR ENDING 30TH JUNE, 1909.

General Exhibit:		
Gross earnings from operating	$18,690 58	
Less operating expenses	22,235 37	
Shortage		$3,544 79
Charges upon Income:		
Accrued during year	....	
Interest on funded debt	....	
Interest on unfunded debts and loans	....	
Taxes	....	
Payment to municipalities for franchise	....	
Total deduction from income	....	
Surplus or deficit		....

Earnings from Operation:		
From passengers carried	$16,725 23	
From use of tracks	1,200 00	
From advertising in cars	....	
From other sources	765 35	
Total gross earnings from operation		$18,690 58
Expenses of Operation:		
General Expenses:		
Salaries of officers and clerks	$1,380 00	
General office expenses and supplies	102 13	
Legal expenses	....	
Insurance	711 00	
		$2,193 13
Other General Expenses:		
Advertising	....	
Miscellaneous general expenses	....	
Maintenance Roadway and Buildings:		
Repair roadbed and track	....	
Repair electric line construction	....	
Repair of buildings	....	
		1,807 46
Maintenance of Equipment:		
Repairs, cars and other vehicles	....	
Repairs of electric equipment of cars	....	
Renewals of tools and machinery	....	
		2,282 20
Transportation Expenses:		
Cost of motive power	3,944 40	
Wages of persons conducting transportation	12,008 18	
Removal of snow and ice	....	
Damages for injuries to persons and to property	....	
		15,952 58
Other Transportation Expenses:		
Car service expenses and supplies	....	
Cleaning, oiling and sanding tracks	....	
Total operating expenses		$22,235 37

DESCRIPTION OF EQUIPMENT.

Description of Equipment.	Equipped for Electric Power.	Number Equipped.	Total Passenger Cars.	Equipped with Fenders.	Equipped with Electric Heaters.	Number of Motors.
Box passenger cars	6	....	....	6	6	....
Open passenger cars	6	....	....	6	....	....
Totals	12	....	....	12	6	....
Cars—other Service—						
Other cars (motor)	....	....	....	....	....	....
Snow ploughs (1)	1	....	....	....	....	....

MISCELLANEOUS EQUIPMENT.

Highway vehicles	....
Tower wagon	....
Tip carts	....

RAILWAY OWNED AND OPERATED.

	Miles.
Length of railway line computed as single track	7.50
Length of sidings and switches	

ACCIDENTS TO PERSONS.

Killed and Injured.	From causes beyond their own control.		From their own carelessness.		Total.	
	Killed.	Injured.	Killed.	Injured.	Killed.	Injured.
Passengers						
Employees						
Other persons						
Totals						

Corporate name and address of the Company: St. Thomas Street Railway, St. Thomas, Ont.

Names and business addresses of principal officers: Secretary and Treasurer, Miss Ella Lindsay, City Hall, St. Thomas; Clerk of Corporation, W. B. Doherty, City Hall, St. Thomas; Auditor, H. T. Gough, City Hall, St. Thomas.

Names and residence of Board of Directors: Chairman, William E. Idsardi, St. Thomas; Mayor George Geddes, St. Thomas; Commissioner, Dr. Walter A. Burns, St. Thomas.

We hereby certify that the statements contained in foregoing report are full, just and true.

Then personally appeared the above named and severally made oath that the foregoing certificate by them subscribed is to the best of their knowledge and belief true.

Before me

....

J. P. or Com'r.

THE SOUTHWESTERN TRACTION COMPANY.

GENERAL BALANCE SHEET, 30TH JUNE, 1909.

Assets:		
Cost of Railway:		
Roadbed and tracks	....	
Electric line construction, including poles and wiring	....	
Total cost of railway owned	....	
Cost of Equipment:		
Cars and other rolling stock and vehicles	....	
Cost of electric equipment	....	
Other items of equipment	....	
Office furniture	....	
Total cost equipment		$1,190,722 11*

*No details given.

Cost of Land and Buildings:		
Land necessary for operation of railway	....	
Electric power stations, including equipment	....	
Other buildings necessary for operation of railway	....	
Total cost of land and buildings owned	....	
Cash	$7,897 70	
Bills and accounts receivable	1,223 93	
Other current assets	8,852 65	
		$17,974 28
Miscellaneous assets	....	
Material and supplies	....	3,017 33
Profit and loss balance deficit		27,848 18
Total assets		$1,239,561 90
Liabilities:		
Capital stock	....	$359,100 00
Funded debt	....	700,000 00
R.I.E. Mortgages	....	1.500 00
Current Liabilities:		
Loans and notes payable	....	
Audited voucher and accounts	$101,075 84	
Salaries and wages	1,922 00	
Miscellaneous current liabilities	....	
		102,997 84
Interest matured	....	67,111 41
Special funds	....	8,852 65
Profit and loss account balance surplus	....	....
Total liabilities		$1,239,561 90

Capital Stock:		
Authorized by law (common)	....	$1,000,000 00
Authorized by votes of Company (common)	$800,000 00	....
Authorized by votes of Company (Preferred)	200,000 00	1,000,000 00
Outstanding	359,000 00	....
Amount paid on stock not issued	....	205 00
Number of stock holders	....	....

FUNDED DEBT.

Description Bonds.	Rate Interest.	Maturity Bonds.	Amount of Bonds Outstanding.	Interest paid during year.
Forty Year First Mortgage..	5 per cent.	April 1 1946	$700,000	$35,000

VOLUME OF TRAFFIC, ETC.

Number of paying passengers carried during year	497,195
Number carried per mile of main track operated	17,445
Number of car miles run	340,539
Average number of persons employed	66
Company commenced operation	1903

SOUTHWESTERN TRACTION COMPANY.

For the Year Ending 30th June, 1909.

General Exhibit:		
Gross Earnings from operating	$92,865 83	
Less operating expenses	60,517 81	
Gross income over operating expenses		$32,348 02
Proceeds sale scrip		3,388 58
		$35,736 60
Charges upon Income:		
Accrued during year	....	
Interest on funded debt	$35,000 00	
Interest on unfunded debt and loans	863 31	
Taxes	....	
Payment to municipalities for franchise	....	
		35,863 31
Total deduction from income		....
Deficit for year		$126 71
Earnings from Operation:		
From passengers carried	$81,531 57	
From mails, $200.32; express and parcels, $2,143.96	2,344 28	
From advertising in cars, $554.30; freight, $8,182.52	8,736 82	
From other sources	253 16	
Total gross earnings from operation		$92,865 83
Expenses of Operation:		
General Expenses:		
Salaries of officers and clerks	$4,237 30	
General office expenses and supplies	606 91	
Legal expenses	115 33	
Insurance	1,666 07	
		$6,625 61
Other General Expenses:		
Advertising, printing, etc.	$3,487 49	
Miscellaneous general expenses	....	
		3,487 49
Maintenance Roadway and Buildings:		
Repair roadbed and track	$7,638 04	
Repair electric line construction	586 99	
Repair of buildings	....	
		8,225 03
Maintenance of Equipment:		
Repairs, cars and other vehicles	$2,705 85	
Repairs of electric equipment of cars	1,063 90	
Renewals of tools and machinery	....	
		3,769 75
Transportation Expenses:		
Cost of motive power	$19,916 98	
Wages of persons conducting transportation	15,569 02	
Removal of snow and ice	61 54	
Damages for injuries to persons and to property	....	
		35,547 54
Other Transportation Expenses:		
Car service expenses and supplies, etc.	$2,862 39	
Cleaning, oiling and sanding tracks	....	
		2,862 39
Total operating expenses		$60,517 81

DESCRIPTION OF EQUIPMENT.

Description of Equipment.	Equipped for Electric Power.	Number Equipped.	Total Passenger Cars.	Equipped with Fenders.	Equipped with Electric Heaters.	Number of Motors.
Box passenger cars	12					
Locomotives, Electric	1					
Open passenger cars						
Total	13					
Cars Other Service:						
Other cars (motor) (2) baggage; (2) cattle						
Snow plows; (5) platform cars; (14) pilots						

MISCELLANEOUS EQUIPMENT.

Highway vehicles	
Tower wagon	
Tip carts	

RAILWAY OWNED AND OPERATED.

	Miles
Length of railway line computed as single track	28½
Length of sidings and switches	1¼
	29¾

ACCIDENTS TO PERSONS.

Killed and Injured.	From causes beyond their own control.		From their own carelessness.		Total.	
	Killed.	Injured.	Killed.	Injured.	Killed.	Injured.
Passengers						
Employees						
Other persons		1	1		1	1
Totals		1	1		1	1

Corporate name and address of the Company: Southwestern Traction Company, 53 Bank of Toronto Chambers, London.

Names and business addresses of principal officers: President, Frederick George Rumball; Vice-President, Angus McKay; Secretary-Treasurer, Alfred E. Welch; Auditor, Herbert R. Skirving; General Manager, Samuel Walter Mower; Superintendent, George H. Northcott.

Names and residence of Board of Directors: Frederick G. Rumball, President, London; Angus McKay, Vice-President, Ingersoll; H. M. Rumball, London; Robt. McEwen, Byron; Thomas Robson, London; Alfred E. Welch, London.

We hereby certify that the statements contained in foregoing report are full, just and true.

Then personally appeared the above named and severally made oath that the foregoing certificate by them subscribed is to the best of their knowledge and belief true.

Before me,

....
J.P. or Com'r.

SANDWICH, WINDSOR & AMHERSTBURG RAILWAY.

General Balance Sheet, 30th June, 1909.

Assets:		
Cost of Railway:		
Roadbed and track	....	
Electric line construction, including poles and wiring	....	
Total cost of railway owned	....	
Cost of Equipment:		
Cars and other rolling stock and vehicles	....	
Cost of electric equipment of same	....	
Other items of equipment	....	
Office furniture	....	
Total cost equipment	....	
Cost of Land and Buildings:		
Lands necessary for operation of railway	....	
Electric power stations, including equipment	....	
Other buildings necessary for operation of railway	....	
Total cost of land and buildings owned		$923,664 91
Cash	$13,739 53	
Bills and accounts receivable	965 99	
Other current assets (stocks)	10,000 00	
Miscellaneous assets (treasury bonds)	172,000 00	
Materials and supplies	1,554 38	
		$198,259 90
Profit and loss balance deficit		....
Total assets		$1,121,924 81
Liabilities:		
Capital stock (common)	....	$297,000 00
Funded debt	....	490,000 00
Current Liabilities:		
Tickets unredeemed	$2,412 49	
Damage and insurance reserve	1,317 80	
Audited voucher and accounts	7,864 93	
Current liabilities, advances by Detroit United Ry.	302,905 90	
		$314,501 12
Accrued Liabilities:		
Interest accrued and not due	$2,120 84	
Profit and loss account balance surplus	206 29	
		2,327 13
		18,096 56
Total liabilities		$1,121,924 81

Capital Stock:		
Authorized by law	$500,000 00	
Authorized by votes of Company	350,000 00	
Outstanding	297,000 00	
Number of stock holders	....	

FUNDED DEBT.

Description Bonds.	Rate Interest.	Maturity Bonds.	Amount of Bonds Outstanding.	Interest paid during year.
Twenty Year Gold Bonds ..	4½ per cent.	December 1 1922	$490,000	$22,050

VOLUME OF TRAFFIC, ETC.

Number of paying passengers carried during year	2,911,358
Number carried per mile of main track operated	81,300
Number of car miles run	838,673
Average number of persons employed	115
Company commenced operation	1871-1872

SANDWICH, WINDSOR & AMHERSTBURG RAILWAY COMPANY.

FOR THE YEAR ENDING 30TH JUNE, 1909.

General Exhibit:		
Gross Earnings from operating as below	$195,010 37	
Less operating expenses	91,253 61	
Gross income over operating expenses		$103,756 76
Charges upon Income:		
Accrued during year	....	
Interest on funded debt	$22,900 01	
Interest on unfunded debt and loans	714 90	
Taxes (commutation)	2,600 00	
Payment to municipalities for franchise	....	
Total deduction from income		26,214 91
Surplus		$77,541 85
Earnings from Operation:		
From passengers carried	$153,520 51	
From mails	800 00	
From advertising on cars	574 99	
From chair cars, $394.45; freight, $5,509.90	5,904 35	
From other sources, lighting, net	34,210 52	
Total gross earnings from operation		$195,010 37
Expenses of Operation:		
General Expenses:		
Salaries of officers and clerks	$3,681 50	
General office expenses and supplies	354 23	
Legal expenses	402 10	
Insurance	900 00	
		$5,337 83
Other General Expenses:		
Advertising	$398 00	
Miscellaneous general expenses	1,314 51	
		1,712 51

Maintenance Roadway and Buildings:		
Repair roadbed and track	$9,480 81	
Repair electric line construction	3,705 90	
Repair of buildings	798 94	
		13,985 65
Maintenance of Equipment:		
Repairs, cars and other vehicles	$4,340 76	
Repairs of electric equipment of cars	2,482 36	
Generators	2,657 96	
Renewals of tools and machinery	2,689 24	
		9,512 36
Transportation Expenses:		
Cost of motive power, $29,074.48; less sold, $10,950.00	$18,124 48	
Wages of persons conducting transportation	37,750 06	
Removal of snow and ice	767 52	
Damages for injuries to persons and to property	....	
		56,642 06
Other Transportation Expenses:		
Car service expenses and supplies	$4,063 20	
Cleaning, oiling and sanding tracks	....	
		4,063 20
Total operating expenses		$91,253 61

Description of Equipment.

Description of Equipment.	Equipped for Electric Power.	Trailers.	Total Passenger Cars.	Equipped with Fenders.	Equipped with Electric Heaters.	Number of Motors.
Box passenger cars	16	4	16	....	....	....
Open passenger cars	16	....	16	....	....	....
Total	32	4	32	....	....	....
Cars Other Service:						
Other cars (motor)	....	....	....	....	....	....
Snow plows	1	....	....	....	....	....

Miscellaneous Equipment.

Highway vehicles	....
Tower wagon, tool cars (3)	....
Tip carts	....

Railway Owned and Operated.

	Miles.
Length of railway line computed as single track	35.81
Length of siding and switches	.....

ACCIDENTS TO PERSONS.

Killed and Injured.	From causes beyond their own control.		From their own carelessness.		Total.	
	Killed.	Injured.	Killed.	Injured.	Killed.	Injured.
Passengers	....	2	....	....	....	2
Employees	....	......	....	....	....	....
Other persons	....	2	....	....	....	2
Totals	....	4	... .	....	....	4

Corporate name and address of the Company: Sandwich, Windsor & Amherstburg Railway.

Names and business addresses of principal officers: President, J. C. Hutchins; Vice-President, F. W. Brooks; Treasurer, Joseph Bampton; Clerk of Corporation, A. E. Peters; Counsel, Chas. Bartlett; Auditor, Irwin Fullerton; General Manager, Jas. Anderson; Superintendent, M. Brocklebank.

Names and residence of Board of Directors: J. C. Hutchins, Detroit; F. W. Brooks, Detroit, Joseph Bampton, Detroit; A. E. Peters, Detroit; A. F. Edwards, Detroit; Jas. Anderson, Windsor; E. W. Moore, Cleveland; A. Pack, Ponteac.

We hereby certify that the statements contained in foregoing report are full, just and true.

(Signed) J. C. BAMPTON, *Treasurer.*

JAS. ANDERSON, *Gen. Manager.*

Then personally appeared the above named and severally made oath that the foregoing certificate by them subscribed is to the best of their knowledge and belief true.

Before me

(Signed) ALEX. R. BARTLETT,
Com. H. C. J., Essex.

SARNIA STREET RAILWAY COMPANY.

GENERAL BALANCE SHEET, 30TH JUNE, 1909.

Assets:		
Cost of Railway:		
Roadbed and tracks	$94,102 30	
Electric line construction, including poles and wiring	12,914 43	
Total cost of railway owned		$107,016 73
Cost of Equipment:		
Cars and other rolling stock and vehicles	$23,742 54	
Cost of electric equipment of same	30,968 90	
Other items of equipment	....	
Office furniture	....	
Total cost equipment		54,711 44
Cost of Land and Buildings:		
Land necessary for operation of railway	$11,223 70	
Electric power stations, including equipment	7,714 82	
Other buildings necessary for operation of railway	14,860 62	
Total cost of land and buildings owned		33,799 14
Cash	....	
Bills and accounts receivable	....	3,576 77

Other current assets		
Miscellaneous assets		
Material and supplies		
Profit and loss balance deficit		
Total assets		$199,104 08
Liabilities:		
Capital stock		$90,000 00
Funded debt		77,100 00
Current Liabilities:		
Loans and notes payable		8,500 00
Audited voucher and accounts		
Miscellaneous current liabilities		
Accrued Liabilities:		
Interest accrued and not due		
Profit and loss account balance surplus		23,504 08
Total liabilities		$199,104 08

Capital Stock:	
Authorized by law	$100,000 00
Authorized by votes of Company	90,000 00
Outstanding	90,000 00
Number of stock holders	65

FUNDED DEBT.

Description Bonds.	Rate Interest.	Maturity Bonds.	Amount of Bonds Outstanding.	Interest paid during year.
Ten Years Debentures	5 per cent.	Nov. 10 1915	$77,100	$3,430 56

VOLUME OF TRAFFIC, ETC.

Number of paying passengers carried during year	645,463
Number carried per mile of main track operated	69,779
Number of car miles run	143,990
Average number of persons employed	26
Company commenced operation	1874

SARNIA STREET RAILWAY COMPANY, LIMITED.

FOR THE YEAR ENDING 30TH JUNE, 1909.

General Exhibit:		
Gross earnings from operating		$40,264 36
Less operating expenses		29,047 23
Gross income over operating expenses		$11,217 13
Charges upon Income:		
Accrued during year		
Interest on funded debt	$3,430 56	
Interest on unfunded debt and loans		
Taxes, municipal, $347.53; provincial, $70	417 53	
Payment to municipalities for franchise		
Total deduction from income		3,848 09
Surplus or deficit		$7,369 04

Earnings from Operation:		
From passengers carried	$29,908 85	
From mails	1,306 50	
From parcels and express	2,790 10	
From freight	3,669 26	
From advertising, rent, etc.	2,589 65	
Total gross earnings from operation		$40,264 36
Expenses of Operation:		
General Expenses:		
Salaries of officers and clerks	$2,650 00	
General office expenses and supplies	667 44	
Legal expenses	128 82	
Insurance	1,012 33	
		$4,458 59
Other General Expenses:		
Maintenance of park, etc	$2,391 42	
Miscellaneous general expenses	....	
		2,391 42
Maintenance Roadway and Buildings:		
Repair roadbed and track	$76 19	
Repair electric line construction	23 00	
Repair of buildings	....	
		99 19
Maintenance of Equipment:		
Repairs, cars and other vehicles	....	
Repairs of electric equipment of cars	$1,626 43	
Provender and stabling	1,161 01	
		2,787 44
Transportation Expenses:		
Cost of motive power	$5,591 45	
Wages of persons conducting transportation	13,488 34	
Removal of snow and ice	....	
Damages for injuries to persons and to property	230 80	
		19,310 59
Other Transportation Expenses:		
Car service expenses and supplies	....	
Cleaning, oiling and sanding tracks	....	
Total operating expenses		$29,047 23

DESCRIPTION OF EQUIPMENT.

Description of Equipment.	Equipped for Electric Power.	Number Equipped.	Total Passenger Cars.	Equipped with Fenders.	Equipped with Electric Heaters.	Number of Motors.
Box passenger cars	10	....	....	11	....	....
Open passenger cars	2	....	....	....	....	....
Total	12	....	....	11	....	....
Cars Other Service:						
Other cars (motor) mail (1)	....	....	....	....	....	....
Snow plows	....	....	....	....	....	....

MISCELLANEOUS EQUIPMENT.

Highway vehicles, carts and snow sleds (5)	....
Wagons, freight and baggage	....
Horses (8)	....

RAILWAY OWNED AND OPERATED.

	Miles.
Length of railway line computed as single track	8.25
Length of sidings and switches	1
	9.25

ACCIDENTS TO PERSONS.

Killed and Injured.	From causes beyond their own control.		From their own carelessness.		Total.	
	Killed.	Injured.	Killed.	Injured.	Killed.	Injured.
Passengers	....	....	....	....	....	....
Employees	....	....	....	....	....	....
Other persons	....	....	....	....	....	....
Totals	....	....	....	....	....	....

Corporate name and address of the Company: Sarnia Street Railway Company, Limited, Sarnia, Ont.

Names and business addresses of principal officers: President, John D. Beatty, Sarnia; Vice-President, James Flintoft, Sarnia; Treasurer, Geo. E. Wadland, Sarnia; Gen. Counsel, Hanna, LeSuen & Co., Sarnia; Auditors, W. R. Paul & H. Ingram, Sarnia; Gen. Manager, Henry W. Mills, Sarnia; Superintendent, Henry W. Mills, Sarnia.

Names and residence of Board of Directors: John D. Beatty, Sarnia; James Flintoft, Sarnia; W. B. Collins, Sarnia; Frank Smith, Sarnia; Robt. Mackenzie, Sarnia; Randall Kenny, Sarnia; Thos. H. Smallman, London.

We hereby certify that the statements contained in foregoing report are full, just and true.

Then personally appeared the above named and severally made oath that the foregoing certificate by them subscribed is to the best of their knowledge and belief true.

Before me

....

J.P or Com'r.

THURLOW RAILWAY COMPANY.

GENERAL BALANCE SHEET, 30TH JUNE, 1909.

Assets:

Cost of Railway:

Roadbed and tracks	....
Electric line construction, including poles and wiring,	....
Total cost of railway owned	....

Cost of Equipment:		
Cars and other rolling stock and vehicles	....	
Cost of electric equipment of same	....	
Other items of equipment	....	
Office furniture	....	
Total cost equipment	....	
Cost of Land and Buildings:		
Land necessary for operation of railway	....	
Electric power stations, including equipment	....	
Other buildings necessary for operation of railway	....	
Total cost of land and buildings owned	....	
Cash	....	
Bills and accounts receivable	....	
Other current assets	....	
Miscellaneous assets	....	
Material and supplies	....	
Profit and loss balance deficit		....
Total assets		....

This Company was organized under Charter obtained in 1907, but no construction work has been undertaken.

Corporate name and address of the Company: The Thurlow Railway Company, Young Building, Hamilton Street, Allentown, Penn., U.S.A.

Names and business addresses of principal officers: President, Harry C. Trexler, Young Building, Allentown, Pa.; Vice-President, Alfred U. Thorn, 829 Prudential Bldg., Buffalo, N.Y.; Treasurer, Edward M. Young, Young Bldg., Allentown, Pa.; Clerk of Corporation (Sec'y), Geo. G. Sykes, Young Bldg., Allentown, Pa. Name of officer and address to whom correspondence should be addressed, Geo. G. Sykes, Secretary, Young Bldg., Allentown, Pa.

Names and residence of Board of Directors: Harry C. Trexler, Allentown, Pa.; Edward M. Young, Allentown, Pa.; George Ormerod, Allentown, Pa.; Alfred U. Thorn, Buffalo, N.Y.; George G. Sykes, Allentown, P.A.

We hereby certify that the statements contained in foregoing report are full, just and true.

Then personally appeared the above named and severally made oath that the foregoing certificate by them subscribed is to the best of their knowledge and belief true.

Before me,

....

J.P. or Com'r.

TORONTO RAILWAY COMPANY.

General Balance Sheet, 30th June, 1909.

Assets:		
Cost of Railway:		
Roadbed and tracks	....	
Electric line construction, including poles and wiring	....	
Cost of Equipment:		
Cars and rolling stock	....	
Cost of Land and Buildings:		
Electric power stations, including land necessary for operation of railway	$14,005,289 69	
Cash	608,014 00	
Bills and accounts receivable	785,127 85	
Materials and supplies	361,011 14	
Total assets		$15,759,442 68

Liabilities:		
Capital stock, common	....	$8,000.000 00
Funded debt	....	3,998,326 66
Real estate mortgages	....	70,475 00
Current liabilities:		
Audited vouchers and accounts	$242,651 01	
Salaries and wages	51,844 75	
Dividends unpaid	140,000 00	
Tickets unredeemed	88,843 60	
		523,339 36
Accrued Liabilities:		
Interest accrued and not yet due	....	69,114 56
Special Funds:		
Contingent accounts	$200,734 86	
Injuries and damage insurance fund	39,730 87	
Percentage fund	2,560 47	
Undistributed profits	45,097 91	
		288,124 11
Profit and loss surplus		2,810,062 99
Total liabilities		$15,759,442 68

Earnings and Expenses of Operation.

General Exhibit:		
Earnings:		
From passengers carried	$3,705,229 01	
From rentals, buildings and other property	2,869 17	
From advertising in cars	15,000 00	
Interest on securities	1,500 00	
Street sprinkling	5.114 82	
Sale of manufactured material	7,790 97	
Sale of discarded material	423 75	
From rentals of buildings and other properties	12,356 00	
Total earnings		$3,750.283 72
Expenses of Operation:		
General Expenses:		
Salaries of officers and clerks	$53,291 44	
General office expense and supplies	17,608 07	
Legal expenses	8,765 76	
Insurance	17,755 94	
Sprinkling	1,707 72	
Store expenses	9,327 48	
		$108,456 41
Maintenance Roadbed and Buildings:		
Repair roadbed and track	$54,921 29	
Repair electric line construction	21,506 69	
Repairs of buildings	14,029 68	
		90,457 66
Maintenance of Equipment:		
Steam and electric plant	$7,955 34	
Repair of cars	138,313 00	
Repair of electric equipment of cars	104,451 21	
Repair of miscellaneous equipment	28,293 14	
Provender and stabling	2,267 06	
Shop expenses	23,355 61	
		304,635 36
Cost electric power	....	277,796 19
Wages and compensation of persons employed in transportation	....	1,005,703 02
Removal snow and ice	....	4,229 07
Damages for injuries to persons and property—Injury and Damage Fund	....	73,505 93
Cleaning and sanding	....	5,650 79
Total expenses		$1,870,434 43

TORONTO RAILWAY COMPANY.

GENERAL EXHIBIT FOR YEAR ENDING JUNE 30TH, 1909.

Gross earnings from operation	....	$3,750,283 72
Less operating expenses	....	1,870,434 43
		$1,879,849 29
Charges upon Income Accrued during Year:		
Interest on funded debt	$188,924 70	
Taxes: Municipal, $48,821 81; Provincial, $5,764 87	54,586 68	
Paid City of Toronto, percentage of earnings	548,055 67	
		$791,567 05
Surplus for year		$1,088,282 24

Capital Stock:

Capital stock authorized by law, issued and outstanding	$8,000,000 00
Number of shares	80,000
Number of stock holders	2,000

REAL ESTATE MORTGAGES.

Description of Property.	Rate Interest.	Amount.	Interest Paid.
Toronto Railway Chambers	4½ per cent.	$70,000 00	$3,150 00
House, 42 Sherbourne Street	6 per cent.	125 00	9 75
House, 41 Scollard Street	5½ per cent.	350 00	19 94
Total	... .	$70,475 00	$3,179 69

FUNDED DEBT.

Description Bonds.	Rate Interest.	Maturity Bonds.	Amount of Bonds Outstanding.	Interest paid during year.
First mortgage	4½ per cent.	31 Aug., 1921	$3,398,326 66	$152,924 70
Underlying debentures	6 "	1 July, 1914	600,000 00	36,000 00

VOLUME OF TRAFFIC, ETC.

Number passengers carried during year	92,850,010
Number carried per mile of track operated	865,790
Number car miles run	14,839,474
Average number persons employed	1,761
Amount of earnings per mile of road	$34,549 84

Corporate name and address of the Company: The Toronto Railway Company, King and Church Streets, Toronto.

Names and addresses of principal officers: President, William McKenzie, 1 Toronto Street, Toronto; Vice-President, Frederic Nicholls, cor King and Simcoe Streets; Treasurer, J. C. Grace, cor. King and Church Streets; General Counsel, McCarthy, Osler, Hoskin and Harcourt; Auditors, Messrs. Clarkson & Cross; General Manager, Robert J. Fleming, cor King and Church Streets. Name of officer and address to whom correspondence should be addressed: R. J. Fleming, Gen. Mgr., King and Church Streets.

Names and residence of Board of Directors: William McKenzie. Frederic Nicholls, Geo. A. Cox, W. D. Matthews, Henry M. Pellatt, Rodolphe Forget, James Gunn.

We hereby certify that the statements contained in foregoing report are full, just and true.

Then personally appeared the above named and severally made oath that the foregoing certificate by them subscribed is to the best of their knowledge and belief true.

Before me,

....

J.P. or Com'r.

TORONTO SUBURBAN RAILWAY CO.

General Balance Sheet for Year Ending 30th June, 1909.

Assets:		
Cost of Railway:		
Roadbed and tracks	....	
Electric line construction, including poles and wiring	....	
Total cost of railway owned	....	
Cost of Equipment:		
Cars and other rolling stock and vehicles	....	
Cost of electric equipment of some	....	
Other items of equipment	....	
Office furniture	....	
Total cost equipment	....	
Cost of Land and Buildings:		
Land necessary for operation of railway	....	
Electric power stations, including equipment	....	
Other buildings necessary for operation of railway.	....	
Total cost of land and buildings owned		$175,382 54
Cash	$210 69	
Bills and accounts receivable	1,436 66	
Other current assets	600 00	
Miscellaneous assets	....	
Material and supplies	1,358 97	
		3,606 32
Profit and loss balance deficit	....	
Total assets		$178,988 86

This company was taken over as a going concern; the cost of property at time of its acquisition is not known, and this valuation is only an estimate.

Liabilities:		
Capital stock	....	$80,000 00
Funded debt, $140,000 held as collateral to loans	....	
Current Liabilities:		
Loans and notes payable	....	126,615 24
Audited voucher and accounts	....	8,108 31
Miscellaneous current liabilities	....	1,208 21
Accrued Liabilities:		
Interest accrued and not due	....	
Profit and loss account balance surplus	....	
Total liabilities		$215,931 76

Capital Stock:	
Authorized by law	$1,000,000 00
Authorized by votes of Company	80,000 00
Outstanding	80,000 00
Number of stock holders	6

Funded Debt.

Description Bonds.	Rate Interest.	Maturity Bonds.	Amount of Bonds Outstanding.	Interest paid during year.
First Mortgage	5 per cent.	Feb. 1 1910	$140,000	....

Volume of Traffic, Etc

Number of paying passengers carried during year	891,203
Number carried per mile of main track operated	90,569
Number of car miles run	204,344
Average number of persons employed	31
Company commenced operation	1894

THE TORONTO SUBURBAN RAILWAY COMPANY.

For the Year Ending 30th June, 1909.

General Exhibit:		
Gross earnings from operating	$41,174 24	
Less operating expenses	30,147 56	
Gross income over operating expenses		$11,026 68
Charges upon income:		
Accrued during year	$8,443 05	
Interest on funded debt	....	
Interest on unfunded debt and loans	....	
Taxes: municipal, $722.80; provincial, $98.40	821 20	
Other expenses	295 42	
Total deduction from Income		9,559 67
Surplus		$1,467 01
Earnings from Operation:		
From passengers carried	$39,076 06	
From sale of power	1,404 89	
From advertising in cars	266 65	
From other sources (sale of scrap)	426 64	
		$41,174 24
Total gross earnings from operation		$41,174 24
Expenses of Operation:		
General Expenses:		
Salaries of officers and clerks	$3,097 11	
General office expenses and supplies	158 30	
Legal expenses	516 17	
Insurance	898 78	
		$4,670 36
Other General Expenses:		
Advertising	....	
Miscellaneous general expenses	$2,640 31	
		2,640 31
Maintenance Roadway and Buildings:		
Repair roadbed and track	$2,907 04	
Repair electric line construction	1,324 75	
Repair of buildings	58 11	
		4,289 90
Maintenance of Equipment:		
Repairs, cars and other vehicles	$3,195 14	
Repairs of electric equipment of cars	438 31	
Renewals of tools and machinery	204 97	
		3,838 42
Transportation Expenses:		
Cost of motive power	$4,962 10	
Wages of persons conducting transportation	9,534 37	
Removal of snow and ice	212 10	
Damages for injuries to persons and to property	....	
		14,708 57
Other Transportation Expenses:		
Car service expenses and supplies	....	
Total operating expenses		$30,147 56

DESCRIPTION OF EQUIPMENT.

Description of Equipment.	Equipped for Electric Power.	Number Equipped.	Total Passenger Cars.	Equipped with Fenders.	Equipped with Electric Heaters.	Number of Motors.
Box passenger cars	8					
Open passenger cars	4					
Total	12					
Cars Other Service:						
Other cars (motor)						
Snow plows						

MISCELLANEOUS EQUIPMENT.

Highway vehicles	
Tower wagon (1 flat car); 1 tool car	
Tip carts	

RAILWAY OWNED AND OPERATED.

	Miles.
Length of railway line computed as single track	9.84
Length of sidings and switches	.42

ACCIDENTS TO PERSONS.

Killed and Injured.	From causes beyond their own control.		From their own carelessness.		Total.	
	Killed.	Injured.	Killed.	Injured.	Killed.	Injured.
Pessengers				2		2
Employees				1		
Other persons						1
Totals				3		3

Corporate name and address of the Company: The Toronto Suburban Railway Company, 1688 Dundas Street, Toronto.

Names and business addresses of principal officers: President, Allan H. Royce, Traders Bank Building, Toronto; Vice-President, R. L. McCormack, King St. E., Toronto; Treasurer, Geo. A. Royce, 1688 Dundas St., Toronto; Gen. Counsel, Royce & Henderson, Traders Bank Building Toronto; Auditor, C. N. R. Postlethwaite, Toronto; Gen. Manager, Geo. A. Royce, 1688 Dundas St., Toronto.

Names and residence of Board of Directors: Allan H. Royce, Toronto; Robt. L. McCormack, Toronto; Robt. B. Henderson, Toronto; Gilbert Royce, Toronto; Geo. A. Royce, Toronto; J. L. Mitchell, Toronto.

We hereby certify that the statements contained in foregoing report are full, just and true.

(Signed) A. H. ROYCE.

Then personally appeared the above named and severally made oath that the foregoing certificate by them subscribed is to the best of their knowledge and belief true.

Before me

....

J.P. or Com'r.

TORONTO & YORK RADIAL COMPANY.

General Balance Sheet, 30th June, 1909.

Assets:		
Cost of Railway:		
Purchase price	$2,800,000 00	
New work under construction	$143,305 31	
Roadbed and tracks	647,912 57	
Electric line construction, including poles and wiring	130,188 89	
Total cost of railway owned		$3,721,406 77
Cost of Equipment:		
Cars and other rolling stock and vehicles	$102,189 98	
Cost of electric equipment of same	54,229 40	
Other items of equipment	50,651 62	
Tools and telephone plant	5,389 92	
Total cost equipment		212,460 92
Cost of Land and Buildings	$129,734 49	
Land necessary for operation of railway	81,308 90	
Electric power stations, including equipment	31,535 03	
Other buildings necessary for operation of railway.	....	
Total cost of land and buildings owned		242,578 42
Cash	$2,130 74	
Bills and accounts receivable	49,396 76	
Other current assets	4,914 27	
Miscellaneous assets	25,904 67	
Material and supplies and office furniture	16,522 36	
		98,868 80
Profit and loss balance deficit		....
Total assets		$4,275,314 91
Liabilities:		
Capital stock	....	$2,000,000 00
Funded debt	....	1,560,000 00
R.I.E. mortgages	....	6,700 00
		$3,566,700 00
Current Liabilities:		
Loans and notes payable	$400,000 00	
Audited voucher and accounts	181,308 49	
Miscellaneous current liabilities	12,726 40	
		$594,034 89
Accrued Liabilities:		
Interest accrued and not due	....	$19,500 00
Profit and loss account balance surplus	....	95,080 02
Total liabilities		$4,275,314 91
Capital Stock:		
Authorized by law	....	$2,000,000 00
Authorized by votes of Company	....	2,000,000 00
Outstanding	....	2,000,000 00
Number of stock holders	....	1

Funded Debt.

Description Bonds.	Rate Interest.	Maturity Bonds.	Amount of Bonds Outstanding.	Interest paid during year.
First Mortgage Gold	5 per cent.	Oct. 1 1919	$1,560,000	$77,447 11

Volume of Traffic, Etc.

Number of paying passengers carried during year	3,595,892
Number carried per mile of main track operated	49,646
Number of car miles run	1,033,003
Average number of persons employed	250
Company commenced operation	1898

TORONTO AND YORK RADIAL RAILWAY COMPANY.

For the Year Ending 30th June, 1909.

General Exhibit:		
Gross earnings from operating	$333,588 43	
Less operating expenses	196,182 73	
Gross Income over operating expenses		$137,405 70
Charges upon Income:		
Accrued during year	....	
Interest on funded debt	$77,447 11	
Interest on unfunded debt and loans	20,201 45	
Taxes, municipal, $2,998.72; provincial, $1,067.25	4,065 97	
Payment to municipalities for franchise	....	
		$101,714 53
Total deduction from Income		....
Surplus or deficit		$35,691 17
Earnings from Operation:		
From passengers carried	$282,763 02	
From freight	44,155 74	
From mails	2,000 00	
From advertising in cars	625 00	
From other sources	4,044 67	
Total gross earnings from operation		$333,588 43
Expenses of Operation:		
General Expenses:		
Salaries of officers and clerks	$7,464 75	
General office expenses and supplies	908 88	
Legal expenses	1,550 00	
Insurance	3,044 83	
		$12,968 46
Other General Expenses:		
Advertising, etc.	$1,678 66	
Miscellaneous general expenses	....	
		1,678 66
Maintenance Roadway and Buildings:		
Repair roadbed and track	$22,458 68	
Repair electric line construction	2,175 83	
Repair of buildings	529 53	
		25,164 04
Maintenance of Equipment:		
Repairs, cars and other vehicles	$8,690 95	
Repairs of electric equipment of cars	9,388 45	
Renewals of tools and machinery	2,392 36	
		20,471 76
Transportation Expenses:		
Cost of motive power	$48,528 77	
Wages of persons conducting transportation	51,187 05	
Removal of snow and ice	3,619 12	
Damages for injuries to persons and to property	5,631 73	
		108,966 67
Other Transportation Expenses:		
Other expenses, and cartage and supplies	$26,933 14	
Cleaning, oiling and sanding tracks	....	
		26,933 14
Total Operating Expenses		$196,182 73

DESCRIPTION OF EQUIPMENT.

Description of Equipment.	Equipped for Electric Power.	Trailers.	Total Passenger Cars.	Equipped with Fenders.	Equipped with Electric Heaters.	Number of Motors.
Box passenger cars	31	2			16	
Open passenger cars	4				21 stoves	
Total	35	2				
Cars, Other Service:						
Other cars (motor), baggage (4), cattle (3)						
Snow plows (3), tool cars (8)						

MISCELLANEOUS EQUIPMENT.

Highway vehicles	
Tower wagon, carts and sleds (10), horses (8)	
Tip carts	

RAILWAYS OWNED AND OPERATED.

	Miles.
Length of railway line computed as single track	72.43
Length of sidings and switches	8.42
	80.85

ACCIDENTS TO PERSONS.

Killed and Injured.	From causes beyond their own control.		From their own carelessness.		Total.	
	Killed.	Injured.	Killed.	Injured.	Killed.	Injured.
Passengers				3		3
Employees		1				1
Other persons			1	7	1	7
Totals		1	1	10	1	11

Corporate name and address of the Company: Toronto and York Radial Railway Co., Toronto Railway Chambers, Toronto.

Names and business addresses of principal officers: President, Wm. Mackenzie, 1 Toronto Street, Toronto; Vice-President, Frederick Nicholls, Can. Gen. Elec. Co., Toronto; Treasurer, J. C. Grace, Toronto Railway Chambers, Toronto; Gen. Counsel, Aylesworth, Wright, Moss & Thompson, Trader's Bank Building, Toronto; Comptroller, J. M. Smith, 9 Toronto Street, Toronto; Gen. Manager, W. H. Moore, 1 Toronto Street, Toronto.

Names and residence of Board of Directors: Wm. Mackenzie, Toronto; Hon. Geo. A. Cox, Toronto; W. D. Matthews, Toronto; Sir H. M. Pellatt, Toronto; James Gunn, Toronto; Frederick Nicholls, Toronto; J. C. Grace, Toronto.

We hereby certify that the statements contained in foregoing report are full, just and true.

Then personally appeared the above named and severally made oath that the foregoing certificate by them subscribed is to the best of their knowledge and belief true.

Before me,

....

J.P. or Com'r.

ELECTRIC RAILWAYS, PROVINCE OF ONTARIO.

Gross and Net Earnings for Year ending June 30th, 1909.

Name of Railway.	Miles of track.	Receipts from fares.	Receipts from freight.	Receipts from mail service & expres'age	Receipts from other sources.	Total earnings.	Total expenditure.	Net earnings.	Net loss.
		$	$	$	$	$ c.	$ c.	$ c.	$ c.
Berlin & Waterloo	3.12	26,602 03		1,356 94	2,678 76	30,637 73	30,513 69	124 04	
Berlin & Bridgeport	2.40						operated	together	
Brantford Street Railway	7.00								
Cornwall Street Railway	6.50					26,432 05	23,915 45	2,516 60	
Galt, Preston & Hespeler	26.42	56,848 77	53,074 11	5,883 42	1,806 99	117,613 29	76,217 10	41,396 19	
Grand Valley	38.38	73,146 68	2,037 69		2,036 88	77,221 25	72,141 22	5,080 03	
Guelph Radial	6.33	25,710 07	1,085 53		1,051 68	27,847 28	22,782 35	5,064 93	
Hamilton & Dundas	6.52	39,400 54	1,019 47	187 90	3,380 35	43,988 26	47,257 17		3,268 91
Hamilton, Grimsby & Beamsville	22.50	63,107 58	19,435 57	5,382 70	6,182 20	94,108 05	84,514 03	9,594 02	
Hamilton Street Railway	22.29	324,228 88			3,473 82	327,702 70	283,187 25	44,515 45	
Hamilton Radial	25.00	104,143 55	7,719 00	966 36	6,395 61	119,224 52	95,950 11	23,274 41	
International Transit Co.	3.90	36,954 48			11,716 73	48,671 21	61,685 03		13,013 82
Irondale, Bancroft & Ottawa	48.00	5,514 06	20,241 50	1,202 88		26,958 44	32,977 80		6,019 36
Kingston, Portsmouth & Cataraqui	8.00	30,625 15			4,267 34	34,892 49	35,767 83		875 34
London Street Railway	33.44	234,732 59		1,240 00	3,244 33	239,216 92	196,869 08	42,347 84	
Niagara Falls Park & River	20.75	129,605 90		626 75	9,907 06	140,139 71	102,647 39	37,492 32	
Ottawa Street	44.54	616,427 66		8,091 00	19,582 06	644,100 72	462,953 93	181,146 79	
Midland Terminal	2.00		12,330 54			12,330 54	13,334 63		1 004 09
Peterboro' Radial	5.24	28,270 66			475 44	28,746 10	29,053 28		307 18
Port Arthur & Fort William	16.52	99,112 46	1,460 89		2,897 30	103,410 65	65,986 66	37,423 99	
Port Dalhousie, St. Catharines & Thorold									
Sandwich, Windsor and Amherstburg	35.81	153,520 51	5,509 90		35,979 96	195,010 37	117,468 52	77,541 85	
Sarnia Street Railway	9.25	29,908 85	3,669 26	4,096 60	2,589 65	40,264 36	32,895 32	7,369 04	
South-Western Traction Co.	29.75	81,531 57	8,182 52	2,344 28	4,196 04	96,254 41	96,381 12		126 71
St. Thomas Street Railway	7.50	16,725 23			1,965 34	18,690 58	22,235 37		3,544 79
Toronto Railway Co.		3,705,229 01			45,054 71	3,750,283 72	2,662,001 48	1,088,282 24	
Toronto Suburban	10.28	39,076 06			2,098 18	41,174 24	39,707 23	1,467 01	
Toronto & York Radial	80.85	282,763 02	44,155 74	2,000 00	4,669 67	333,588 43	297,897 26	35,691 17	
Thurlow Railway Co.		not given							
Woodstock, Thames Valley & Ingersoll	11.50								
Huntsville and Lake of Bays	1.26								
		6,203,185 31	179,861 72	33,378 83	175,650 10	6,618,508 02	5,006,340 30	1,640,327 92	28,160 20

ELECTRIC RAILWAYS, PROVINCE OF ONTARIO.

Analysis of Operating Expenses for Year ending June 30th, 1909.

Name of Railway.	Trackage.	Car miles run.	Mainten-ance of way and buildings.	Cost of motive power.	Mainten-ance of cars and equipment	General operating expenses.	Total expenses.	Cost of operating per car mile.
			$ c.	$ c.	$ c.	$ c.	$ c.	c.
Berlin & Waterloo	312	87,860	1,694 21	6,960 71	4,591 88	17,266 89	30,513 69	34.7
Berlin & Bridgeport	240							
Brantford Street Railway	706	.....	.....	.....	.....	.....	.....	.....
Cornwall Street Railway	650	104,623	.....	.....	.....	.....	.....	.....
Galt, Preston & Hespeler	2,642	252,976	10,566 10	13.629 11	3,771 26	48,250 63	76,217 10	30.1
Grand Valley	3,838	467,061	.....	.....	.....	70,150 65	72,141 22	15
Guelph Radial	633	200,800	1,509 10	7,395 14	4,089 88	9,788 23	22,782 35	11.3
Hamilton & Dundas	652	119,860	3,541 62	4,173 27	1,442 94	38,099 34	47,257 17	39.4
Hamilton, Grimsby & Beamsville	2,250	275,801	12,247 27	14.246 81	8,791 28	49,228 67	84,514 03	36
Hamilton Radial	2,500	392,880	.....	.....	.....	95,950 11	168,857 37	42.9
International Transit Co.	390	283,284	1,120 07	7,000 00	4,125 96	50,139 90	61,685 03	21.7
Irondale, Bancroft & Ottawa	4,800	31,300	10,308 19	7,472 20	5,015 77	10,181 64	32,977 80	10.5
Kingston, Portsmouth & Cataraqui	800	199,680	2,203 02	1,737 49	4,680 73	27,146 59	35,767 83	17.9
Niagara Falls Park & River	2,075	356,652	3,274 03	6,330 94	4,700 32	88,342 10	102,647 36	28.7
London Street Railway	3,344	1,426,339	18,246 81	20,412 13	33,664 13	124,546 01	196,869 08	13.8
Ottawa Street	4,454	3,675,888	.....	.....	.....	417,481 46	462,953 93	12.6
Peterboro' Radial	524	257,450	1,867 64	1,500 00	2,523 84	23,161 80	29,053 28	11.3
Port Dalhousie, St. Catharines & Thorold	1,652	389,420	.....	13,059 80	.....	66,647 02	79,706 82	20.4
Midland Terminal	200	.....	1,879 86	5,215 34	1,683 23	4,556 20	13,334 63	.....
Port Dalhousie, St. Catharines & Thorold	817	.....	.....	.....	.....	.....	.....	.....
Sandwich, Windsor and Amherstburg	3,581	838,673	.....	.....	.....	102,203 61	117,468 52	14
Sarnia Street Railway	925	143,990	.....	.....	.....	29,047 23	32,895 32	22.8
South-Western Traction Co.	2,975	304,928	.....	.....	.....	60,517 81	96,381 12	31.6
St. Thomas Street Railway	750	183,960	.....	.....	.....	22,235 57	22,235 57	12.1
Toronto Railway Co.	10,285	14,839,474	.....	.....	.....	1,870,434 43	2,662,434 48	17.9
Toronto Suburban	1,026	204,344	.....	.....	.....	30,147 56	39,707 23	19.4
Toronto & York Radial	8,085	950,200	.....	.....	.....	196,182 73	297,897 26	31.3
Thurlow Railway Co.	.....	.....	.....	.....	.....	.....	.....	.....
Woodstock, Thames Valley & Ingersoll	.....	.....	.....	.....	.....	.....	.....	.....
Hamilton Street Railway	2,229	1,620,418	11,437 26	42,890 24	24,499 81	204,359 94	283,187 25	16.8
	.....	27,607,861	79,895 18	152,023 18	103,581 03	3,656,066 12	5,069,485 44	.....

ELECTRIC LIGHT AND POWER PLANTS OPERATED BY MUNICIPALITIES FOR THE YEAR ENDING 31ST DECEMBER, 1908.

Electric Light and Power Works, Municipality of Almonte.

Plant acquired or installed
Total assessed valuation of real estate in municipality.
Amount at par of bonds issued during year for lighting and power purposes.
Amount of outstanding debentures, 31st December, 1908.
Motive power. Water.
Number com. arc lamps supplied.
Nominal candle power.
Number municipal arc lamps, 17.
Nominal candle power.
Number incandescent lamps suplied: Municipal, 23.
Nominal candle power, 32 C.P.
Incandescent, commercial, 3,000, C.P. 16.
Amount of power supplied to customers K.W.
Price charged for com. arc lamps. Not given.
Price charged for com. incandescent lamps. Not given.
Price charged for electric power per K.W Not given.
Cost per public arc lamp. Not given.
Cost per public incandescent lamp Not given.

Gross earnings:

Commercial incandescent lights...	$5,616 80	
Street arc lights..	2,150 00	
		$7,766 80
Sales of lamps, etc..........		1,255 48
		$9,022 28
Operating expenses		3,786 91
Deductions from net income....		$5,235 37
Interest on debenture debt	$1,200 00	
Sinking fund	630 58	
Annuity debenture...	367 91	
Other deductions		
		$2,198 49
Surplus or deficit		$3.036 88

Plant and equipment.
Debentures current.

Operating expenses:

Salaries, production	$1,426 75
Wages, production.	....
Fuel	....
Oil, waste and sundries	....
Repairs ...	545 69
General expenses..	1,814 47
Depreciation	....
Total operating expenses.	$3,786 91

Electric Light and Power Works, Municipality of Aylmer.

Plant acquired or installed, 1897.
Total assessed valuation of real estate in municipality, $795,820.
Amount at par of bonds issued during year for lighting and power purposes.
Amount of outstanding debentures, 31st December, 1908, $59,018.37.
Motive power. Steam.
Number com. arc lamps supplied, 6.
Nominal candle power, 800 C.P.
Number municipal arc lamps, 12.
Nominal candle power, 2,000 C.P.
Number incandescent lamps supplied: Municipal, 30.
Nominal candle power, 16 C.P.
Commercial incandescent lamps.
Amount of power supplied to customers K.W., 1,800, 16 C.P.
Price charged for com. arc lamps. Metred.
Price charged for com. incandescent lamps. Metred.
Price charged for electric power per K.W. None sold.
Cost per public arc lamp, $75.00.
Cost per public incandescent lamp, $10.00, estimated.

Gross earnings:

Commercial arc and incandescent lights	$7,866 05	
Street arc lights and incan. lights	1,250 00	
From municipal power service....	2,250 00	
Total income		$11,366 05
Operating expenses ..	$7,333 83	
Debenture paid	1,471 60	
Sinking fund		
Reconstruction reserve fund		
Other deductions		
		8,805 43
Surplus		$2,560 62

Operating expenses:

Salaries, production	....	
Wages, production..	$1,777 46	
Fuel	4,270 96	
Oil, waste and sundries	....	
Repairs	576 02	
General expenses...	709 39	
Depreciation	....	
Total operating expenses		$7,333 83

Total Assets:

Water works plant and electric light plant	$90,000 00

Liabilities:

Debentures current electric light and water works	59,018 37

ELECTRIC LIGHT AND POWER WORKS, MUNICIPALITY OF ALEXANDRIA.

Plant acquired or installed, 1896.
Price charged for electric power per municipality, $518,363.
Amount at par of bonds issued during year for lighting and power purposes. None.
Amount of outstanding debentures, 31st December, 1908, $15,251.98.
Motive power. Steam.
Number com. arc lamps supplied, 3.
Nominal candle power.
Number municipal arc lamps. None.
Nominal candle power, 3.
Number incandescent lamps supplied. Not given.
Nominal candle power, 16 C.P.
Amount of power supplied to customers K.W. None.
Price charged for com. arc lamps. Not given.
Price charged for com. incandescent lamps. Not given.
Price charged for electric power per K.W. Not given.
Cost per public arc lamp. Not given.
Cost per public incandescent lamp. Not given.

Operating expenses:		
Salaries, production		
Wages, production.		
Fuel		
Oil, waste and sundries		
Repairs		
General expenses		
Depreciation		
Total operating expenses		

Plant and equipment. Not given.
Liabilities. Not given.

ELECTRIC LIGHT AND POWER WORKS, MUNICIPALITY OF BARRIE.

Plant acquired or installed, 1888-9.
Total assessed valuation of real estate in municipality, $884,595.
Amount at par of bonds issued during year for lighting and power purposes.
Amount of outstanding debentures, 31st December, 1908, $51,892.10.
Motive power. Steam.
Number com. arc lamps supplied, 2 mult. arcs.
Nominal candle power, 6 ampere.
Number municipal arc lamps, 52.
Nominal candle power, 2,000 C.P.
Number incandescent lamps supplied: Municipal, 42.
Nominal candle power 32 C.P.
Number commercial incandescents, 5,000, 16 C.P.
Amount of power supplied to customers K.W.
Price charged for com. arc lamps.
Price charged for com. incandescent lamps.
Price charged for electric power per K.W., 10c. to 8c., according to quantity.
Cost per public arc lamp, $45.
Cost per public incandescent lamp, $48.

Gross earnings:		
Commercial incandescent lights	$221 58	
Commercial arc and incan. lights	14,543 12	
Street lighting	3,182 50	
		$17,947 20
Fines, etc.		332 71
Gross earnings		$18,279 91
Deductions from net income		
Operating expenses	$11,946 42	
Interest on debenture debt	2,303 31	
Debentures paid	2,371 11	
		16,620 84
Surplus for year		$1,659 07

Operating expenses:		
Salaries, production	$1,080 00	
Wages, production.	1,338 00	
Fuel	5,385 49	
Oil, waste and sundries	266 87	
Station expense	128 66	
Repairs	790 32	
Repairs poles, etc..	790 32	
Office salaries, etc..	1,170 46	
Insurance	954 85	
Interest	432 08	
Total operating expenses		$11,946 42

Assets:	
Plant and equipment	$76,524 85
Liabilities:	
Debentures current, 31st December, 1908	51,892 10

ELECTRIC LIGHT AND POWER WORKS, MUNICIPALITY OF BERLIN.

Plant acquired or installed, 1903.
Total assessed valuation of real estate in municipality, $6,118,088.
Amount at par of bonds issued during year for lighting and power purposes, $10,000.
Amount of outstanding debentures, 31st December, 1906, $157,657.78.
Motive power. Producer gas.
Number municipal arc lamps supplied, 124
Nominal candle power, 2,000 C.P.
Number municipal incandescent lights, 15.

Electric Light and Power Works, Municipality of Berlin.—*Continued.*

Nominal candle power, 11-16-4-32.
Number incandescent lamps supplied, 10,000.
Nominal candle power, 16 C.P.
Amount of power supplied to customers K.W.
Price charged for com. arc lamps.
Price charged for com. incandescent lamps, 7 3-5c. K.W.H.
Price charged for electric power per K.W.
Cost per public arc lamp, $70.00.
Cost per public incandescent lamp, 16 C.P. $16.00, 32 C.P. $30.00.

Gross earnings:		
Municipal streets..	$8,915 92	
Commercial lights.	20,873 81	
Commercial power service	17,246 82	
		$47,036 55
From supplies sold		669 33
		$47,705 88
Operating expenses		35,723 78
		$11,982 10

Interest on debenture debt	$6545 48
Deductions from net income ..	....
Sinking fund	
Surplus for year	$5,436 62

Assets:
Plant and equipment.
Debentures outstanding $157,657 78

Operating expenses:		
Salaries, production and labor	$7,172 08	
Wages, production.	....	
Power purchased...	3,840 90	
Fuel	13,622 07	
Oil, waste and sundries	2,848 52	
Repairs	3,933 14	
General expenses ..	902 87	
Depreciation	3,404 20	
Total operating expenses.		$35,723 78

Electric Light and Power Works, Municipality of Blenheim.

Plant acquired or installed, 1900.
Total assessed valuation of real estate in municipality, $433,441.
Amount at par of bonds issued during year for lighting and power purposes.
Amount of outstanding debentures, 31st December, 1906, $2,871.84.
Motive power. Steam.
Number com. arc lamps supplied. None.
Nominal candle power. None.
Number municipal arc lamps, 17.
Nominal candle power, 2,000 C.P.
Number incandescent lamps supplied: Municipal, 100.
Nominal candle power, 16 C.P.
Commercial incandescent lights, 1,400, 16 C.P.
Amount of power supplied to customers, K.W.
Price charged for com. arc lamps. None.
Price charged for com. incandescent lamps, 10c. per K.W.H.
Price charged for electric power per K.W. None.
Cost per public arc lamp, $40.00.
Cost per public incandescent lamp, $5.00.

Gross earnings:		
From commercial arc and incan. lights.	$2,260 05	
From public buildings	126 00	
From street arc lights	930 00	
From other sources	5,165 00	
		$3,377 70
Operating expenses...	$2,544 34	
Interest on debenture debt	207 72	
		2,752 06
Surplus for year..........		625 64

Assets:

Plant, etc.	$9,136 55
Debentures current	2,871 84

Operating expenses:		
Salaries, production		$730 00
Wages, production.		....
Fuel		1,028 37
Oil, waste and sundries		....
Repairs $100 00		
Water	100 00	
		200 00
Other repairs, wiring, etc.		585 97
Depreciation		....
Total operating expenses		$2,544 34

ELECTRIC LIGHT AND POWER WORKS, MUNICIPALITY OF BOBCAYGEON.

Plant acquired or installed 1906.
Total assessed valuation of real estate in municipality.
Amount at par of bonds issued during year for lighting and power purposes.
Amount of outstanding debentures, 31st December, 1908.
Motive power. Water.
Number com. arc lamps supplied. None.
Nominal candle power. None.
Number municipal arc lamps, 22.
Nominal candle power, 1,200 C.P.
Number incandescent lamps supplied: Municipal, 9.
Nominal candle power, 50 C.P.
Amount of power supplied to customers K.W. None.
Price charged for com. arc lamps. None.
Price charged for com. incandescent lamps, $2 per year, 16 C.P.
Price charged for electric power per K.W. None sold.
Cost per public arc lamp. No data.
Cost per public incandescent lamp. No data.

Gross earnings	$1,723 97	
Less operating expenses	805 99	
Net earnings from operation		$917 98
Deductions from net income		....
Interest on debenture debt and sinking fund		1,534 00
Reconstruction reserve fund		....
Other deductions		....
Deficit		$616 02

Operating expenses:		
Salaries, production	$451 67	
Salaries, office	57 00	
Wages, production	....	
Fuel	....	
Oil, waste and sundries	2 00	
Repairs	29 43	
Operating and repairing lamps	265 89	
General expenses	....	
Total operating expenses		$805 99

Assets:	
Plant and equipment	$26,000 00
Liabilities:	
Debentures current 28 yearly, $1,534, including interest	$42,952 00

ELECTRIC LIGHT AND POWER WORKS, MUNICIPALITY OF BRACEBRIDGE.

Plant acquired or installed, 1895.
Total assessed valuation of real estate in municipality, $662,340.
Amount at par of bonds issued during year for lighting and power purposes. None.
Amount of outstanding debentures, 31st December, 1908, $45,053.22.
Motive power. Water.
Number com. arc lamps supplied, 15.
Nominal candle power, 1,000 C.P.
Number municipal arc lamps, 2.
Nominal candle power, 1,000 C.P.
Number incandescent lamps supplied: Municipal, 515.
Nominal candle power, 8-16-32 C.P.
Amount of power supplied to customers K.W., 375 H.P.
Price charged for com. arc lamps.
Price charged for com. incandescent lamps.
Price charged for electric power per K.W., $12.50, 12 H., $15, 24 H.
Cost per public arc lamp, $17.50, est.
Cost per public incandescent lamp, $1.50, est.

Gross earnings	$12,712 34	
Less operating expenses	4,346 52	
Net earnings from operation		$8,365 82
Interest on debenture debt		1,972 54
Sinking fund		
Reconstruction reserve fund		
Other deductions		
Surplus for year 1908		$6,393 28

Operating expenses:		
Salaries, production	$2,701 01	
Wages, office	1,061 94	
Fuel	12 15	
Oil, waste and sundries	55 61	
Repairs and operating lamps	273 95	
General expenses	241 86	
Total operating expenses		$4,346 52

Assets:	
Value of (1908) plant, etc.	$66,714 30
Liabilities:	
Debentures current	45,053 22

ELECTRIC LIGHT AND POWER WORKS, MUNICIPALITY OF BROCKVILLE.

Plant acquired or installed, 1900.
Total assessed valuation of real estate in municipality, $38,600 45.
Amount at par of bonds issued during year for lighting and power purposes, $10,000.
Amount of outstanding debentures, 31st December, 1908, $131,192.79.
Motive power. Steam.
Number com. arc lamps supplied, 24.
Nominal candle power, 1,200 C.P.
Number municipal arc lamps, 75.

ELECTRIC LIGHT AND POWER WORKS, MUNICIPALITY OF BROCKVILLE.—*Continued.*

Nominal candle power, 1,200 C.P.
Number incandescent lamps supplied: Municipal, 30.
Nominal candle power, 32 C.P.
Commercial incandescent lights, 7,000.
Amount of power supplied to customers K.W., 2 at 32 C.P.
Price charged for com. arc lamps, $105—10c. K.W.H.
Price charged for com. incandescent lamps, 10c. K.W.H.
Price charged for electric power per K.W., 10c. K.W.H.
Cost per public arc lamp. No figures.
Cost per public incandescent lamp. No figures.

Gross earnings:

Com'l arc lights...	$525 00	
Incandescent lights	368 05	
Com'l and incandescent lights (metred)	12,666 50	
Public buildings and streets	5,404 50	
Street Incandescents.	616 00	
Rent metres	37 38	
		$19,617 43
Operating expenses ..	$13,643 78	
Interest on debenture debt	2,034 47	
		15,678 25
Surplus for 1908		$3,939 18

Operating expenses:

Salaries, production	$2,300 00	
Wages, production.	211 38	
Fuel	4,224 16	
Oil, waste and sundries	453 17	
Repairs	640 90	
Salaries	1,071 72	
Distribution	240 97	
Other repairs	779 37	
Office salaries, etc..	958 86	
General expenses...	687 09	
Depreciation	2,076 16	
Total operating expenses.		$13,643 78

Assets:	
Plant, etc.	$190,105 40
Liabilities:	
Debentures	131,192 79

ELECTRIC LIGHT AND POWER WORKS, MUNICIPALITY OF BOTHWELL.

Plant acquired or installed.

Total assessed valuation of real estate in municipality, $200,000.

Amount at par of bonds issued during year for lighting and power purposes. None.

Amount of outstanding debentures, 31st December, 1908.

Motive power. Steam.

Number arc lamps supplied: Municipal, 15.

Nominal candle power, 2,000 C.P.

Number municipal arc lamps.

Nominal candle power.

Number incandescent lamps supplied: Commercial, 450, 16 C.P.

Nominal candle power.

Amount of power supplied to customers K.W. None.

Price charged for com. arc lamps. None.
Price charged for com. incandescent lamps.
Price charged for electric power per K.W. None sold.
Cost per public arc lamp, $35, est.
Cost per public incandescent lamp. No data.

Gross earnings:

Com'l incandescents	$1,585 94	
Street arc lights ..	684 00	
		$2,269 94
Operating expenses		2,006 43
Net earnings from operation		$263 51
Deductions from net income ..		....
Interest on debenture debt		....
Sinking fund		....
Reconstruction reserve fund ..		
Other deductions		....
Surplus or deficit		....

Operating expenses:

Salaries, production	$604 51	
Wages, production.	....	
Fuel	1,224 10	
Oil, waste and sundries	......	
Repairs	177 82	
Depreciation	....	
Total operating expenses.		$2,006 43

Assets:	
Value of plant	$6,600 00
Liabilities:	
Debentures current	$2,474 53

ELECTRIC LIGHT AND POWER WORKS, MUNICIPALITY OF CHATHAM.

Plant acquired or installed, 1897.
Total assessed valuation of real estate in municipality, $5,055,870.
Amount at par of bonds issued during year for lighting and power purposes. None.
Amount of outstanding debentures, 31st December, 1908.
Motive power. Gas engines.
Number municipal arc lamps supplied, 130
Nominal candle power, 1,400.
Number municipal arc lamps, 7.
Nominal candle power.
Number incandescent lamps supplied. None.
Nominal candle power. None.

ELECTRIC LIGHT AND POWER WORKS, MUNICIPALITY OF CHATHAM.—*Continued.*

Amount of power supplied to customers K.W. None.
Price charged for com. arc lamps. None.
Price charged for com. incandescent lamps. None.

Price charged for electric power per K.W. None used.
Cost per public arc lamp, $45.
Cost per public incandescent lamp. None.

Operating expenses:

Salaries, production	....
Wages, production	....
Fuel	....
Oil, waste and sundries	....
Repairs	....
General expenses	....
Depreciation	....
Total operating expenses	....

Assets:	
Plant and equipment	$15,000 00
Liabilities:	
Debentures current, 31st Dec., 1908	15,000 00

ELECTRIC LIGHT AND POWER WORKS, MUNICIPALITY OF COLLINGWOOD.

For year ending Dec. 31, 1908.

Plant acquired or installed, 1889.
Total assessed valuation of real estate in municipality, $2,713,766.
Amount at par of bonds issued during year for lighting and power purposes.
Amount of outstanding debentures, 31st December, 1908, $25,125.72.
Motive power. Steam.
Number com. arc lamps supplied, 22.
Nominal candle power, 800.
Number municipal arc lamps, 65.
Nominal candle power, 800.
Number incandescent lamps supplied:
Municipal, 300.
Nominal candle power, 16 C.P.
Commercial incandescent lamps, 8,000, 16 C.P.
Amount of power supplied to customers K.W.
Price charged for com. arc lamps. Metre rate.
Price charged for com. incandescent lamps. Metre rate.
Price charged for electric power per K.W., 12½c.
Cost per public arc lamp, $31.00.
Cost per public incandescent lamp. No figures.

Gross earnings:

Com'l lighting	$13,543 42	
Street lighting	4,265 00	
		$17,808 42
Less operating expenses		12,517 95
Net earnings from operation		$5,290 47
Interest on debenture debt		2,888 24
Surplus		$2,402 23

Assets:	
Plant, etc.	$55,068 15
Liabilities:	
Sinking fund	25,125 72
Debentures current	9,148 48
Net debt	$15,977 24

Operating expenses:

Salaries, production	$400 00	
Wages, production	2,065 00	
Fuel	4,826 77	
Oil, waste and sundries	144 17	
Repairs	1,047 17	
Power purchased	1,020 00	
Salaries	1,200 00	
Distribution expense	298 91	
Operating street lamps	807 42	
Repairs poles, etc.	40 92	
Office salaries	150 00	
Insurance	200 00	
Sundries	317 59	
Total operating expenses		$12,517 95

ELECTRIC LIGHT AND POWER WORKS, MUNICIPALITY OF DUNDALK.

For year ending Dec. 31, 1908.

Plant acquired or installed, 1899.
Total assessed valuation of real estate in municipality, $264,662.12.
Amount at par of bonds issued during year for lighting and power purposes, $350.
Amount of outstanding debentures, 31st December, 1908, $4,046.91.
Motive power. Steam.
Number com. arc lamps supplied. None.
Nominal candle power. None.
Number municipal arc lamps. None.
Nominal candle power. None.
Number incandescent lamps supplied:
Municipal, 70.
Commercial 700.

Electric Light and Power Works, Municipality of Dundalk.—*Continued.*

Nominal candle power, 16 C.P.

Amount of power supplied to customers K.W. None.

Price charged for com. arc lamps. None.

Price charged for com. incandescent lamps, $10.95.

Price charged for electric power per K.W. 08c.

Cost per public arc lamp. None.

Cost per public incandescent lamp, $7.30.

Gross earnings:		
Plant rented to private corporation	$500 00	
Less operating expenses		....
Net earnings from operation		....
Interest on debenture debt		$367 90
Surplus		$133 10

Assets:	
Plant, etc.	$6,000 00
Liabilities:	
Debentures current	4,046 91

Electric Light and Power Works, Municipality of Dresden.

Plant acquired or installed.

Total assessed valuation of real estate in municipality, $4,899.16.

Amount at par of bonds issued during year for lighting and power purposes.

Amount of outstanding debentures, 31st December, 1908, $8,581.60.

Motive power. Steam.

Number com. arc lamps supplied. None.

Nominal candle power.

Number municipal arc lamps. None.

Nominal candle power. None.

Number incandescent lamps supplied: Municipal, 70.

Nominal candle power, 32 C.P.

Commercial incandescent lights 1,400, 16 C.P.

Amount of power supplied to customers K.W.

Price charged for com. arc lamps. None.

Price charged for com. incandescent lamps. Metre R. 10c. K.W.

Price charged for electric power per K.W. None sold.

Cost per public arc lamp. Not given.

Cost per public incandescent lamp.

Gross earnings:		
Com'l incandescent lights	$3,956 63	
Street incandescent lights	800 00	
Gross earnings from operation		$4,756 63
Less operating expenses	$3,425 34	
Interest on debenture debt	352 69	
Sinking fund	....	
Reconstruction reserve fund	....	
Other deductions		3,778 03
Surplus		$978 60

Operating expenses:		
Salaries, production	$907 75	
Wages, production	....	
Fuel	1,647 88	
Oil, waste and sundries	106 37	
Repairs	54 16	
General expenses	268 32	
Depreciation	440 86	
Total operating expenses		$3,425 34

Assets:	
Value of plant and equipment	$3,881 55
Liabilities:	
Debentures current, 31st Dec. 1908	8,581 60

Electric Light and Power Works, Municipality of Fenelon Falls.

Plant acquired or installed, 1903.

Total assessed valuation of real estate in municipality, $439,025.

Amount at par bonds issued during year for lighting and power purposes since 1907, $46,500.

Amount of outstanding debentures, 31st December, 1908, $68,250.

Motive power. Steam.

Number com. arc lamps supplied. None.

Nominal candle power. None.

Number municipal arc lamps, 14.

Nominal candle power, 1,500.

Number incandescent lamps supplied, 50.

Nominal candle power, 50 C.P.

Amount of power supplied to customers K.W., 89 K.W.

Price charged for com. arc lamps. None

Price charged for com. incandescent lamps. None.

Price charged for electric power per K.W., $13.40.

Cost per public arc lamp. No data.

Cost per public incandescent lamp. No data.

Gross earnings:		
Commercial incandescent lights	$3,135 38	
Street lights	465 00	
Power service	1,152 77	
Railway service	240 00	
Rent of grist mill	1,250 00	
Other revenue	183 84	
Gross earnings		$6,426 99

Electric Light and Power Works. Municipality of Fenelon Falls.—*Continued.*

Less operating expenses	$2,127 09	
Interest on debentures	2,730 00	
Reconstruction reserve fund	....	
Other deductions	....	
		$4,857 09
Surplus		$1,569 90

Operating expenses:

Salaries, production	$1,318 25	
Wages, production	....	
Fuel	....	
Oil, waste and sundries	....	
Repairs	....	
General expenses	808 84	
Depreciation	....	
Total operating expenses		$2,127 09

Assets:

Plant, equipment, etc.		....

Liabilities:

Debentures, current, 31st December, 1908		$68,250 00

Electric Light and Power Works, Municipality of Guelph.

Plant acquired or installed, 1903.

Total assessed valuation of real estate in municipality.

Amount at par of bonds issued during year for lighting and power purposes.

Amount of outstanding debentures, 31st December, 1908.

Motive power. Steam.

Number com. arc lamps supplied, 12.

Nominal candle power, 1,500 C.P.

Number municipal arc lamps, 99.

Nominal candle power, 1,500 C.P.

Number incandescent lamps supplied, 4.

Nominal candle power, 100 C.P.

Commercial incandescents, 12,000-8-16-32 C.P.

Amount of power supplied to customers K.W.

Price charged for com. arc lamps, $73.00.

Price charged for com. incandescent lamps, 12c. to 10c. K.W.H.

Price charged for electric power per K.W., 3c. to 7c. K.W.

Cost per public arc lamp, $60.

Cost per public incandescent lamp. Not given.

Gross earnings:

Commercial arc-lights	$958 50	
Commercial incandescents	211 68	
From commercial arc and incandescent lights by meter	18,958 78	
From street arc lights	6,187 50	
Incandescent lights	148 03	
From commercial power service	4,686 64	
Rent of meters	1,109 49	
House wiring etc.	2,868 83	
		$34,947 45
Operating expenses	$17,442 27	
Sinking fund	385 37	
Interest on debentures	2,986 96	
		20,814 60
Surplus for year		$14,132 85

Operating expenses:

Salaries, production	$521 05	
Salaries, office	426 52	
Wages	3,723 71	
Fuel	5,422 02	
Oil, waste and sundries	510 17	
Repairs	5,250 14	
General expenses	1,588 66	
Depreciation	....	
Total operating expenses		$17,442 27

Assets:

Plant and equipment, buildings, etc.		$91,546 91

Liabilities:

Electric Light and Power Works, Municipality of Hespeler.

Plant acquired or installed, 1901.

Total assessed valuation of real estate in municipality, $875,230.

Amount at par of bonds issued during year for lighting and power purposes, $1,550.

Amount of outstanding debentures, 31st December, 1908, $9,360.02.

Motive power. Steam.

Number com. arc lamps supplied. None.

Nominal candle power. None.

Number municipal arc lamps, 20.

Nominal candle power, 1,000 C.P.

Number incandescent lamps supplied:

Municipal, 50, 16 C.P.

Commercial, 1,750.

Nominal candle power, 4-8-16 C.P.

ELECTRIC LIGHT AND POWER WORKS, MUNICIPALITY OF HESPELER.—*Continued.*

Amount of power supplied to customers K.W. None.
Price charged for com. arc lamps. None.
Price charged for com. incandescent lamps, 12 K.W.H.
Price charged for electric power per K.W.
Cost per public arc lamp per annum, $75.
Cost per public incandescent lamp, $5.

Gross earnings:		
Incandescent lights	$3,617 95	
From street arc lights	1,500 00	
Meter rents	302 50	
		$5,420 45
Operating expenses	$5,539 75	
Interest on debenture debt	559 78	
Sinking fund	306 81	
Reconstruction reserve fund	....	
Other deductions	....	
		$6,406 34
Deficit for year		$985 89

Operating expenses:		
Salaries, production	$1,319 00	
Wages, production	....	
Fuel	2,628 10	
Oil, waste and sundries	149 92	
Repairs	262 73	
General expenses	....	
Depreciation	1,180 00	
Total operating expenses.		$5,539 75
Assets:		
Value of plant and equipment		$10,914 11
Liabilities:		
Debentures current		$9,360 02

ELECTRIC LIGHT AND POWER WORKS, MUNICIPALITY OF IROQUOIS.

Plant acquired or installed, 1902.
Total assessed valuation of real estate in municipality, $325,155.
Amount at par of bonds issued during year for lighting and power purposes.
Amount of outstanding debentures, 31st December, 1908.
Motive power. Water.
Number com. arc lamps supplied, 13.
Nominal candle power, 200 C.P.
Number municipal arc lamps.
Nominal candle power.
Number incandescent lamps supplied: Municipal, 30.
Nominal candle power, 50 C.P.
Amount of power supplied to customers, K.W., 18 K.W.
Price charged for com. arc lamps.
Price charged for com. incandescent lamps, 4 C.P., $1.00; 8 C.P., $1.50; 16 C.P., $2.00; 32 C.P., $4.00.
Price charged for electric power per K.W., $20 K.W.
Cost per public arc lamp. Not given.
Cost per public incandescent lamp. Not given.

Gross earnings	$1,920 13
Less operating expenses	932 11
Net earnings from operation	$988 02
Deductions from net income	559 30
Interest on debenture debt	....
Sinking fund	....
Reconstruction reserve fund	....
Other deductions	....
Surplus for year	$428 72
Assets:	
Plant and equipment	$25,000 00
Liabilities:	
Debentures current 31st December, 1908	$14,000 00

Operating expenses:		
Salaries, production	$430 00	
Wages, production	....	
Fuel	120 22	
Oil, waste and sundries	....	
Repairs	241 79	
General expenses	140 10	
Depreciation	....	
Total operating expenses.		$932 11

ELECTRIC LIGHT AND POWER WORKS, MUNICIPALITY OF KENORA.

Plant acquired or installed, 1902.
Total assessed valuation of real estate in municipality, $3,740,693.
Amount at par of bonds issued during year for lighting and power purposes.
Amount of outstanding debentures, 31st December, 1908.
Motive power. Water, turbines.
Number com. arc lamps supplied, 12.
Nominal candle power, 600 C. P.
Number municipal arc lamps, 90.
Nominal candle power, 600 C.P.
Number incandescent lamps supplied, 100.
Nominal candle power, 16 C.P.

ELECTRIC LIGHT AND POWER WORKS, MUNICIPALITY OF KENORA.—*Continued.*

Commercial incandescents, 8,000 (16 C.P.)
Amount of power supplied to customers, K.W., 1,800 K.W.
Price charged for com. arc lamps, $60 per year.
Price charged for com. incandescent lamps.
Price charged for electric power per K.W., $50; $10.00 large blocks.
Cost per public arc lamp, $60.
Cost per public incandescent lamp. Not given.

Gross earnings	$49,474 82
Less operating expenses	22,130 56
Net earnings from operation	$27,344 26

Deduction from net income	....	
Interest on debenture debt	$17,141 27	
Sinking fund	7,882 22	
Reconstruction reserve fund	....	
Other deductions	....	
		$25,023 49
Surplus		$2,320 77

Assets:

Total value plant	$387,660 87

Debentures:

ELECTRIC LIGHT AND POWER WORKS, MUNICIPALITY OF KINCARDINE.

Plant acquired or installed, 1894.
Total assessed valuation of real estate in municipality, $159,445.
Amount at par of bonds issued during year for lighting and power purposes. None.
Amount of outstanding debentures, 31st December, 1908.
Motive power. Steam.
Number com. arc lamps supplied. None.
Nominal candle power. None.
Number municipal arc lamps, 20.
Nominal candle power, 1,500 C.P.
Number incandescent lamps supplied: Municipal, 30.
Nominal candle power, 32 C.P.
Amount of power supplied to customers K.W. None.
Price charged for com. arc lamps. None
Price charged for com. incandescent lamps, 10c. K.W.H.
Price charged for electric power per K.W. None.
Cost per public arc lamp. Not given.
Cost per public incandescent lamp. Not given.

Gross earnings as detailed below	$6,295 28
Less operating expenses	5,068 69
Net earnings from operation	$1,226 59

Deductions from net income	....	
Interest on debenture debt	370 76	
Sinking fund	814 75	
Reconstruction reserve fund	....	
Other deductions	....	
		1,185 51
Surplus		$41 08

Earnings:

From commercial arc lights	$2,468 42	
From commercial incan. lights	2,056 80	
From arc and incan. metred	70 00	
From public buildings	1,125 00	
From street arc lights	205 00	
From other sources	370 06	
		$6,295 28

Operating expenses:

Salaries, production	$1,654 00
Wages, production	....
Fuel	2,502 11
Oil, waste and sundries	114 57
Repairs	645 50
General expenses	152 51
Depreciation	....
Total operating expenses	$5,068 69

Assets:

Plant and equipment	$20,228 31

Liabilities:

Debentures current, 31st December, 1908	$9,215 17

ELECTRIC LIGHT AND POWER WORKS, MUNICIPALITY OF KINGSTON.

Plant acquired or installed, 1904.
Total assessed valuation of real estate in municipality.
Amount at par of bonds issued during year for lighting and power purposes.
Amount of outstanding debentures, 31st December, 1908.
Motive power. Steam.
Number com. arc lamps supplied. None.
Nominal candle power. None.
Number municipal arc lamps, 150.
Nominal candle power, 2,000 C.P.
Number incandescent lamps supplied: Commercial. No record.

ELECTRIC LIGHT AND POWER WORKS, MUNICIPALITY OF KINGSTON.—*Continued.*

Nominal candle power, 2-50 C.P.
Amount of power supplied to customers K.W., 348 K.W.
Price charged for com. arc lamps, 10c. K.W.H.
Price charged for com. incandescent lamps, 10c. K.W.H.
Price charged for electric power per K.W., 4c. to 10c., sliding scale.
Cost per public arc lamp.
Cost per public incandescent lamp. No record.

Gross earnings as detailed below	$43,313 13
Less operating expenses	30,153 46
Net earnings from operation	$13,159 67
Deductions from net income	....
Interest on debenture debt	$8,630 34
Sinking fund	....
Reconstruction reserve fund	....
Other deductions	....
Surplus for year	$4,529 33

Earnings.

From commercial arc and incandescent lights by meter	$27,504 68	
From street arc lights	9,000 00	
From railway service	4,763 40	
From meter rents	1,539 87	
From other sources	505 18	
Total earnings		$43,313 13

Operating expenses:

Salaries, production	$2,475 00	
Wages, production, $6,666.50; Water, $175.95	6,842 45	
Fuel	9,872 73	
Oil, waste and sundries	887 85	
Repairs	6,081 94	
General expenses and insurance	3,993 49	
Depreciation	....	
Total operating expenses		$30,153 46

Assets:

Plant, equipment, etc.	$190,320 00

Liabilities:

Debentures current	*a*$215,715 00

(*a*) Estimated.

ELECTRIC LIGHT AND POWER WORKS, MUNICIPALITY OF MADOC.

Plant acquired or installed, 1904, 1905.
Total assessed valuation of real estate in municipality, $327,661.
Amount at par of bonds issued during year for lighting and power purposes. None.
Amount of outstanding debentures, 31st December, 1908, $7,200.
Motive power. Steam.
Number com. arc lamps supplied. None.
Nominal candle power. None.
Number municipal arc lamps, 12.
Nominal candle power, 2,000 C.P.
Number incandescent lamps supplied:
Municipal, 11 (16 C.P.).
Commercial, 1,100 (16 C.P.).
Nominal candle power, 32.
Amount of power supplied to customers K.W.
Price charged for com. arc lamps.
Price charged for com. incandescent lamps, 2c. to 5c. per night.
Price charged for electric power per K.W.
Cost per public arc lamp, $30, estimated.
Cost per public incandescent lamp. Not given.

Gross earnings as detailed below	$3,423 21
Less operating expenses	2,839 32
Net earnings from operation	$583 89
Deductions from net income.	....
Debenture, interest paid	$662 22
Sinking fund	....
Reconstruction reserve fund	....
Other deductions	....
Deficit for year	$78 33

Earnings:

From commercial arc lights	$2,735 98	
From street arc lights	500 00	
From other sources	187 23	
		$3,423 21

Operating expenses:

Salaries, production	$650 00	
Wages, production	....	
Fuel	1,347 36	
Oil, waste and sundries	525 91	
Repairs	276 05	
General expenses, office salaries	40 00	
Depreciation	....	
Total operating expenses.		$2,839 32

Assets:

Plant and equipment	$15,000 00

Liabilities:

Debentures current 31st December, 1908	$7,200 00

ELECTRIC LIGHT AND POWER WORKS, MUNICIPALITY OF MIDLAND.

Plant acquired or installed, 1903.
Total assessed valuation of real estate in municipality, $1,354,400.
Amount at par of bonds issued during year for lighting and power purposes, $12,000.
Amount of outstanding debentures, 31st December, 1908, $34,489.14
Motive power. Steam.
Number com. arc lamps supplied, 19.
Nominal candle power, 1,000 C.P.
Number municipal arc lamps, 31.
Nominal candle power, 1,000 C.P.
Number incandescent lamps supplied: Commercial, 4,600.
Nominal candle power, 2 to 50 C.P.
Amount of power supplied to customers K.W. None.
Price charged for com. arc lamps, $8.45 per K.W.H.
Price charged for com. incandescent lamps. As above.
Price charged for electric power per K.W.
Cost per public arc lamp, $50.
Cost per public incandescent lamp, $3.60 16 C.P.

Gross earnings as detailed below	$12,377 89	
Special earnings	280 99	$12,658 88
Less operating expenses		7,475 84
Net earnings from operation		$5,183 04

Deductions from net income	....	
Interest on debenture debt	$1,171 63	
Sinking fund	547 33	
Reconstruction reserve fund	....	
Other deductions	....	$1,718 96
Surplus or deficit		$3,464 08

Earnings:

From commercial incandescent lights	$1,057 06	
From commercial arc and incandescent lights by meter	9,361 01	
From lighting public buildings	108 00	
From street arc lights	1,483 33	
From incandescent lights	368 49	
Total earnings		$12,377 89

Operating expenses:

Salaries, production	$2,633 93	
Labour	42 50	
Wages, production	....	
Fuel	3,641 44	
Oil, waste and sundries	254 84	
Repairs	572 19	
General expenses	330 94	
Depreciation	....	
Total operating expenses		$7,475 84

Assets:

Plant and equipment	$47,711 40

Liabilities:

Debentures current, 31st December, 1908	$34,489 14

ELECTRIC LIGHT AND POWER WORKS, MUNICIPALITY OF MORRISBURG.

Plant acquired or installed, 1901.
Total assessed valuation of real estate in municipality, $514,925.
Amount at par of bonds issued during year for lighting and power purposes. None.
Amount of outstanding debentures, 31st December, 1908.
Motive power. Water.
Number com. arc lamps supplied, 3.
Nominal candle power, 500.
Number municipal arc lamps, 50.
Nominal candle power, 32 C.P.
Number incandescent lamps supplied.
Nominal candle power.
Amount of power supplied to customers K.W., 40 K.W.
Price charged for com. arc lamps.
Price charged for com. incandescent lamps, $7.30.
Price charged for electric power per K.W., $15.00 H. P., 10 hours.
Cost per public arc lamp. Not given.
Cost per public incandescent lamp. Not given.

Operating expenses:

Salaries, production	$1,253 55	
Labour	56 35	
Wages, production	....	
Fuel	....	
Oil, waste and sundries	129 23	
Rent water rights	540 00	
Repairs	....	
General expenses	495 63	
Depreciation	....	
Total operating expenses		$2,474 76

Electric Light and Power Works, Municipality of Morrisburg.—*Continued.*

Assets:	
Plant and equipment	$35,000 00
Debentures:	
Gross earnings *	$4,159 18
Less operating expenses	2,474 76
Net earnings from operation	$1,684 42
Deductions from net income	....
Interest on debenture debt	1,755 60
Sinking fund	....
Reconstruction reserve fund	....
Other deductions	....
Deficit	$71.18

*Earnings are exclusive of street lighting and lighting of public buildings which shall be at least $1,000.

Electric Light and Power Works, Municipality of Mt. Forest.

Plant acquired or installed, 1901.
Total assessed valuation of real estate in municipality, $745,000.
Amount at par of bonds issued during year for lighting and power purposes. None.
Amount of outstanding debentures, 31st December, 1908, $10,310.65.
Motive power. Steam.
Number municipal arc lamps supplied, 17.
Nominal candle power, 1,450.
Number municipal arc lamps.
Nominal candle power.
Number incandescent lamps supplied: Municipal. Not given.
Nominal candle power. None.
Amount of power supplied to customers K.W. None.
Price charged for com. arc lamps, 10c. K.W.H.
Price charged for com. incandescent lamps. Not given.
Price charged for electric power per K.W. Not given.
Cost per public arc lamp. Not given.
Cost per public incandescent lamp. Not given.

Gross earnings as detailed below		$5,611 71
Less operating expenses		4,096 00
Net earnings from operation		$1,515 71
Deductions from net income		....
Interest on debenture debt		$694 00
Sinking fund		....
Reconstruction reserve fund		....
Other deductions		....
Surplus or deficit		$821 71
Earnings:		
From commercial arc and incandescent lights	$4,411 71	
From street lighting and public buildings	1,200 00	
Total earnings	....	$5,611 71
Operating expenses:	....	... ...
Salaries, production	$1,680 00	
Wages, production	....	
Fuel, electric light and water plant	2,000 00	
Oil, waste and sundries	200 00	
Repairs	216 00	
General expenses	....	
Depreciation	....	
Total operating expenses		$4,096 00
Assets:		
Plant and equipment		$15,000 00
Liabilities:		
Debentures current		$10,310 65

Electric Light and Power Works, Municipality of Napanee.

Plant acquired or installed, 1905, 1906.
Total assessed valuation of real estate in municipality, $1,242,040.50.
Amount at par of bonds issued during year for lighting and power purposes, $10,000.
Amount of outstanding debentures, 31st December, 1908, $43,051.97.
Motive power. Steam.
Number com. arc lamps supplied, 5.
Nominal candle power, 1,200 C.P.
Number municipal arc lamps, 38.
Nominal candle power, 1,200 C.P.
Number incandescent lamps supplied, 25.
Nominal candle power, 30 C.P.
Commercial incandescent lights, 3,000, 8 and 16 C.P.
Amount of power supplied to customers K.W. None.
Price charged for com. arc lamps, 10 K.W.H.
Price charged for com. incandescent lamps, 10 K.W.H.
Price charged for electric power per K.W. None.
Cost per public arc lamp, $75.00.
Cost per public incandescent lamp, $15.

Gross earnings:		
From arc and incandescent lights	$4,542 76	
Street lights	3,550 00	
Rent of meters	185 20	
		$8,277 96

ELECTRIC LIGHT AND POWER WORKS, MUNICIPALITY OF NAPANEE.—*Continued.*

Less operating expenses	$5,748 61	
Interest on debenture debt	1,349 08	
(Sinking fund) municipal debts	674 97	
Reconstruction reserve fund	....	
Other deductions	....	$7,772 66
Surplus for year 1908		$505 30

Operating expenses:

Salaries, production	$2,163 75	
Wages, production	....	
Fuel	2,625 63	
Oil, waste and sundries	150 33	
Repairs	535 93	
General expenses	245 66	
Distribution, etc.	27 31	
Total operating expenses		$5.748 61

Assets:

Plant, etc.	$34,283 63

Liabilities:

Debentures current	$43,051 97

ELECTRIC LIGHT AND POWER WORKS, MUNICIPALITY OF NEWMARKET.

Plant acquired or installed, 1897.

Total assessed valuation of real estate in municipality, $8,769.50.

Amount at par of bonds issued during year for lighting and power purposes. None.

Amount of outstanding debentures, 31st December, 1908, $11,052.

Motive power. Steam.

Number com. arc lamps supplied, 6.

Nominal candle power, 80 C.P.

Number commercial incandescent lamps, 3,500.

Nominal candle power, 5-8-16.

Number incandescent lamps supplied: Municipal, 103.

Nominal candle power, 32 C.P.

Amount of power supplied to customers K.W. None.

Price charged for com. arc lamps, 10c. K.W.H.

Price charged for com. incandescent lamps, 10c. K. W. H.

Price charged for electric power per K.W.

Cost per public arc lamps, $7.95 K.W.H.

Cost per public incandescent lamp. Not given.

Gross earnings:

Lights	$5,290 33	
Sundries	536 13	
		$5,826 46
Operating expenses		4,280 85
		$1,545 61
Deductions from net income		....
Debenture retired		$1,765 95
Sinking fund		....
Reconstruction reserve fund		....
Other deductions		....
Deficit		$220 34

Operating expenses:

Salaries, production	$1,180 00	
Wages, production	....	
Fuel	2,900 00	
Oil, waste and sundries	....	
Repairs	....	
General expenses	200 85	
Debenture retired	1,765 95	
Total operating expenses		$6,046 80

Assets:

Plant and equipment	$49,625 00

Liabilities:

Debentures current	$11,052 00

ELECTRIC LIGHT AND POWER WORKS, MUNICIPALITY OF NIAGARA.

Plant acquired or installed, 1892.

Total assessed valuation of real estate in municipality, $574,150.

Amount at par of bonds issued during year for lighting and power purposes, $19,000.

Amount of outstanding debentures, 31st December, 1908, $19,000.

Motive power. Steam.

Number com. arc lamps supplied. None.

Nominal candle power. None.

Number municipal arc lamps. None.

Nominal candle power.

Number incandescent lamps supplied: Municipal, 244-16-32 C.P.; commmercial, 3,000.

Nominal candle power.

Amount of power supplied to customers K.W. None.

Price charged for com. arc lamps. None.

Price charged for com. incandescent lamps, 10c. K.W.H.

Price charged for electric power per K.W., $17.00 H.P.

Cost per public arc lamp.

Cost per public incandescent lamp, estimated $1.25.

Gross earnings, as detailed below	$2,529 87
Less operating expenses	1,248 75

ELECTRIC LIGHT AND POWER WORKS, MUNICIPALITY OF NIAGARA.—*Continued.*

Net earnings from operation		$1,281 12
Deductions from net income...		....
Interest on debenture debt....		524 16
Sinking fund		....
Reconstruction reserve fund....		....
Other deductions		....
Surplus for 6 months operation		$756 96
Earnings:		
From commercial incandescent (flat rate) lights......	$395 40	
From same meter rate	721 27	
From lighting public buildings	308 83	
From street incandescent lights...	432 00	
From municipal power service...	627 37	
From rent of meters	45 00	
		$2,529 87
Operating expenses:		
Salaries, production	$288 00	
Wages, production.	....	
Power purchased..	750 00	
Oil, waste and sundries	....	
Repairs	....	
Repairs arc lamps, etc.	210 75	
General expenses..	....	
Depreciation	....	
Total operating expenses.		$1,248 75
Assets:		
Plant and equipment		$21,500 00
Liabilities:		
Debentures outstanding		$19,000 00

ELECTRIC LIGHT AND POWER WORKS, MUNICIPALITY OF NIAGARA FALLS.

Plant acquired or installed.

Total assessed valuation of real estate in municipality, $1,387,734.

Amount at par of bonds issued during year for lighting and power purposes. None.

Amount of outstanding debentures, 31st December, 1908, $90,568.38.

Motive power. Water.

Number com. arc lamps supplied, 8.

Nominal candle power, 2,000.

Number municipal arc lamps, 84.

Nominal candle power, 2,000.

Number incandescent lamps supplied: Municipal, 102.

Nominal candle power, 32.

Amount of power supplied to customers K.W. None.

Price charged for com. arc lamps, $84.00.

Price charged for com. incandescent lamps. Not given.

Price charged for electric power per K.W. None.

Cost per public arc lamp. Not given.

Cost per public incandescent lamp. Not given.

Gross earnings		$32,470 44
Less operating expenses		23,462 22
Net earnings from operation		$9,008 22
Deduction from net income	....	
Interest on debenture debt	$3,905 29	
Debentures retired...	6,713 42	
Sinking fund	....	
Reconstruction reserve fund	....	
Other deductions ...	....	
		$10,618 71
Deficit for year		$1,610 49
Operating expenses:		
Paid for power....	$10,371 98	
Salaries, production	5,160 00	
Wages, production.	....	
Fuel	69 03	
Oil, waste and sundries	335 40	
Repairs and general expenses	7,525 81	
Depreciation	....	
Total operating expenses.		$23,462 22
Assets:		
Plant and equipment		$127,757 00
Liabilities:		
Debentures current		$90,568 38

ELECTRIC LIGHT AND POWER WORKS, MUNICIPALITY OF NORTH TORONTO.

Plant acquired or installed, 1891.

Total assessed valuation of real estate in municipality, $1,586,250.

Amount at par of bonds issued during year for lighting and power purposes, 0.

Amount of outstanding debentures, 31st December, 1908, $10.000.

Motive power. Steam.

Number com. arc lamps supplied. None.

Nominal candle power. None.

Number municipal arc lamps, 30.

ELECTRIC LIGHT AND POWER WORKS, MUNICIPALITY OF NORTH TORONTO.—*Continued.*

Nominal candle power. Not given.
Number incandescent lamps supplied.
Nominal candle power.
Amount of power supplied to customers K.W. None.
Price charged for com. arc lamps. None.
Price charged for com. incandescent lamps. None.
Price charged for electric power per K.W. None sold.
Cost per public arc lamp. Not given.

Cost per public incandescent lamp. Not given.

Gross earnings	$705 00	
		$705 00
Operating expenses .	$1,067 75	
(No details furnished.)		
Interest on debenture debt	450 00	
Sinking fund	178 30	
Reconstruction reserve fund	....	
Other deductions		$1,696 05
Deficit		$991 05

Assets:

Plant, equipment, transformers,, poles, etc.	$10,000 00

Liabilities:

Debentures current 31st Dec., 1908	$10,000 00

ELECTRIC LIGHT AND POWER WORKS, MUNICIPALITY OF OTTAWA.

Plant acquired or installed, 18 May, 1905.
Total assessed valuation of real estate in municipality, $50,508,205.
Amount at par of bonds issued during year for lighting and power purposes, $30,000.
Amount of outstanding debentures, 31st December, 1908, $330,000.
Motive Power. Water.
Number com. arc lamps supplied, 248.
Nominal candle power, 2,000 C.P.
Number municipal arc lamps, 593.
Nominal candle power, 2,000 C.P.
Number incandescent lamps supplied:
- Municipal, 600.
- Commercial, 60,440.

Nominal candle power, 10-16 C.P.
Amount of power supplied to customers K.W., 500 K.W.
Price charged for com. arc lamps, $36.
Price charged for com. incandescent lamps, $2.52 flat or .7 1-5 K.W.H.
Price charged for electric power per K.W. $25.
Cost per public arc lamp, $38
Cost per public incandescent lamp. Not given.

Gross earnings		$106,800 36
Less operating expenses		62,049 99
Net earnings from operation		$44,750 37
Deductions from net income...		....
Interest on debenture debt	$13,100 00	
Sinking fund	6,300 00	
Reconstruction reserve fund	....	
Other deductions	....	
		$19,400 00
Surplus for year		$25,350 37

Surplus carried to capital account for depreciation and renewals.

Operating expenses:

Salaries, office	$3,042 59	
Salaries and wages production	20,457 96	
Power purchased .	28,875 00	
Arc lamps and carbons	1,637 96	
Repairs and incandescent renewals and installations	4,276 07	
General expenses...	....	
Damages	2,550 00	
		$60,839 58
Depreciation		....
Other expenses		1,210 41
Total operating expenses.		$62,049 99

Assets:

Plant and equipment	....

Liabilities:

Debentures current, 31st Dec., 1908	$330,000 00

ELECTRIC LIGHT AND POWER WORKS, MUNICIPALITY OF OWEN SOUND.

Plant acquired or installed, 1908.
Total assessed valuation of real estate in municipality, $4,740,556.
Amount at par of bonds issued during year for lighting and power purposes, $5,300.
Amount of outstanding debentures, 31st December, 1908, $45,000.
Motive power. Steam and water.
Number com. arc lamps supplied, 36.
Nominal candle power, 1,200.
Number municipal arc lamps, 67.

Electric Light and Power Works, Municipality of Owen Sound.—*Continued.*

Nominal candle power, 2,000.
Number incandescent lamps supplied, municipal, 44.
Nominal candle power, 32.
Number com. incandescent lights, 16,700, 16 C.P.
Amount of power supplied to customers K.W., 100.
Price charged for com. arc lamps, 8-10c. per K.W.
Price charged for com. incandescent lamps.
Price charged for electric power per K.W. $18 H.P. + 2c.K.W.H.
Cost per public arc lamp, $65.
Cost per public incandescent lamp, $16, 32 C.P.

Gross earnings:		
Commercial and incand. lights	$18,004 79	
Street arc lights, public buildings	4,125 00	
Street incandescents	496 00	
Commercial power service	4,053 62	
Income from other sources	238 58	
Total income.		$26,917 99
Less operating expenses	$12,998 87	
Interest on debenture debt	2,852 50	
Sinking fund	3,828 59	
Reconstruction reserve fund	....	
Other deductions		$19,679 96
Surplus for year		$7,238 03

Operating expenses:		
Salaries, production and distribution	$1,200 00	
Wages Fuel Oil, waste and sundries	$11,128 76	
Repairs		
General expenses and office salaries	670 11	
Depreciation	....	
Total operating expenses.		$12,998 87

Assets:	
Plant and equipment	....
Liabilities:	
Debentures current 31 Dec., 1908	$45,000 00
Sinking fund	14,171 80
Net debt	$30,828 20

Electric Light and Power Works, Municipality of Palmerston.

Plant acquired or installed, 1903-4.
Total assessed valuation of real estate in municipality, $594,000.
Amount at par of bonds issued during year for lighting and power purposes, None.
Amount of outstanding debentures, 31st December, 1906, $11,567.
Motive power, Steam.
Number com. arc lamps supplied, 4.
Nominal candle power, 2,000 C.P.
Number municipal arc lamps, 17.
Nominal candle power, 2,000 C.P.
Number incandescent lamps supplied:
Municipal, 160, 16 C.P.
Commercial, 1,200, 16 C.P.
Nominal candle power. ....
Amount of power supplied to customers K.W.
Price charged for com. arc lamps, $54.75.
Price charged for com. incandescent lamps, 10c. K.W.H.
Price charged for electric power per K.W. None sold.
Cost per public arc lamp, $60, estd.
Cost per public incandescent lamp, $4.80, estd.

Operating expenses:		
Salaries, production	$1,320 00	
Wages, production..	....	
Fuel	2,612 00	
Oil, waste and sundries	....	
Repairs	355 00	
" arcs	90 00	
General expenses.	....	
Depreciation	350 00	
Total operating expenses..		$4,727 00

Assets:		
Value plant, 31 Dec., 1908...		$19,050 00
Liabilities:		
Debentures current	$11,567 00	
Sinking Fund	11,917 00	
Gross earnings	$5,302 00	
Less operating expenses	4,727 00	
Net earnings from operation		$575 00
Deductions from net income	....	
Interest on debenture debt	$630 00	
Sinking fund	....	
Reconstruction reserve fund	....	$630 00
Deficit for year		$55 00

Electric Light and Power Works, Municipality of Paris.

Plant acquired or installed, 1901.
Total assessed valuation of real estate in municipality, $1,500,000.
Amount at par of bonds issued during year for lighting and power purposes.
Amount of outstanding debentures, 31st December, 1908, $35,000.
Motive power. Steam.
Number com. arc lamps supplied. None.
Nominal candle power.
Number municipal arc lamps, 35.
Nominal candle power, 350 C.P.
Number incandescent lamps supplied, 200.
Nominal candle power, 16 C.P.
Com. incandescent lights, 4,000, 16 C.P.
Amount of power supplied to customers K.W.
Price charged for com. arc lamps.
Price charged for com. incandescent lamps, 6 to 7 K.W.H.
Price charged for electric power per K.W. None.
Cost per public arc lamp. No figures.
Cost per public incandescent lamp. No figures.

Gross earnings	$7,187 20	
Less operating expenses	4,772 70	
Net earnings from operation		$2,414 50
Deductions from net income ..		....
Interest on debenture debt and debentures paid		$4,080 89
Sinking fund		....
Reconstruction reserve fund ..		....
Other deductions		....
Deficit for year		$1,666 39
Assets:		
Plant, etc.		....
Liabilities:		
Debentures current		$35,000 00

Operating expenses	
Salaries, production	
Wages, production	
Fuel	
Oil, waste and sundries	
Repairs	
General expenses	
Depreciation	
Total operating expenses..	$4,772 70

Electric Light and Power Works, Municipality of Port Perry.

Plant acquired or installed, 1903.
Total assessed valuation of real estate in municipality.
Amount at par of bonds issued during year for lighting and power purposes, $1,250.
Amount of outstanding debentures, 31st December, 1908, $21,954.59.
Motive power. Steam.
Number com. arc lamps supplied. None.
Nominal candle power. None.
Number municipal arc lamps, 3.
Nominal candle power, 800 C.P.
Number incandescent lamps supplied: Municipal, 100.
Nominal candle power, 16 C.P.
Incandescent lamps: Commercial, 900, 16 C.P.
Amount of power supplied to customers K.W.
Price charged for com. arc lamps.
Price charged for com. incandescent lamps, $5.00, $1.85, $4.50, sub.
Price charged for electric power per K.W., 10c.
Cost per public arc lamp. No record.
Cost per public incandescent lamp.

Gross earnings:		
From Com'l arc and incan. lights	$2,930 09	
From street arc and incan. lights	800 00	
From municipal power service ..	450 00	
From railway service	250 00	
		$4,430 09
Rent of meters		96 00
		$4,526 09
Operating expenses...	$2,917 06	
Interest on debenture debt	1,325 33	
		4,242 39
Surplus		$283 70

Operating expenses:	
Salaries, production	No details furnished.
Wages, production..	
Fuel............	
Oil, waste and sundries............	
Repairs...........	
General expenses...	
Depreciation.........	
Total operating expenses.	$2,917 06
Assets:	
Plant, etc., inclusive of water works plant	$24,000 00
Liabilities:	
Debentures current	21,954 59

Electric Light and Power Works, Municipality of Perth.

Plant acquired or installed, 1904.
Total assessed valuation of real estate in municipality.
Amount at par of bonds issued during year for lighting and power purposes, $10,900.
Amount of outstanding debentures, 31st December, 1908.
Motive power. Water.
Number com. arc lamps supplied, 13.
Nominal candle power, 2,000.
Number municipal arc lamps, 38.
Nominal candle power, 2,000.
Number incandescent lamps supplied. None.
Nominal candle power. None.
Amount of power supplied to customers K.W.
Price charged for com. arc lamps, $44.00.
Price charged for com. incandescent lamps.
Price charged for electric power per K.W.
Cost per public arc lamp, $50.00.
Cost per public incandescent lamp.
Gross earnings:

Com'l arc and incandescent lights	$529 93	
Public buildings ..	175 00	
Street incandescent lights	2,136 53	
From other sources	183 00	
		$3,024 46

Less operating expenses.......		2,089 61
		$934 85
Interest on debenture debt	$200 00	
Sinking fund	444 00	
		644 00
Reconstruction reserve fund...		
Other deductions		
Surplus or deficit		$290 85
Assets:		
Value of plant, estimated ..		$12,000 00
Liabilities:		
Debentures current		10,900 00
Operating expenses:		
Salaries, production	$581 50	
Distribution	360 00	
Wages, production.	....	
Fuel	30 13	
Oil, waste and sundries	18 60	
Repairs and general expenses....	1,099 38	
Depreciation		
Total operating expenses		$2,089 61

Electric Light and Power Works, Municipality of Prescott.

Plant acquired or installed, Jan. 1, 1900.
Total assessed valuation of real estate in municipality, $1,171,116.
Amount at par of bonds issued during year for lighting and power purposes, $2,500.
Amount of outstanding debentures, 31st December, 1908, $18,437.90.
Motive power. Steam.
Number municipal arc lamps supplied, 10.
Nominal candle power, 1,200.
Number incandescent lamps supplied:
Municipal, 107.
Nominal candle power, 16-32.
Amount of power supplied to customers K.W. None.
Price charged for com. arc lamps. None.
Price charged for com. incandescent lamps. None.
Price charged for electric power per K.W.
Cost per public arc lamp, $97.73, est.
Cost per public incandescent lamp, $11.56, est.

Gross earnings:

Com'l arc and incandescent lights	$6,585 85	
Public buildings & streets (arcs) ..	1,274 76	
From street incandescent lights....	1,225 24	
		$9,085 85
Rent of meters		115 00
		$9,200 85

Less operating expenses		7,790 26
Net earnings		$1,410 59
Less interest on debenture debt	$758 89	
Sinking fund	603 49	
Reconstruction reserve fund	....	
Other deductions	....	
		1,362 38
Surplus		48 21
Operating expenses:		
Salaries, production	$1,684 00	
Salaries, office	360 00	
Wages	....	
Fuel	3,387 89	
Oil, waste and sundries	191 45	
Repairs	719 10	
Distribution expense	740 00	
General expenses ..	....	
Depreciation	707 82	
Total operating expenses.		$7,790 26
Assets:		
Plant and equipment		$29,824 75
Liabilities:		
Debentures current, 31st Dec., 1908		18,437 90

ELECTRIC LIGHT AND POWER WORKS, MUNICIPALITY OF PRESTON.

Plant acquired or installed, 1905.
Total assessed valuation of real estate in municipality, $1,108,465.
Amount at par of bonds issued during year for lighting and power purposes, $12,000.
Amount of outstanding debentures, 31st December, 1906.
Motive power. Steam.
Number com. arc lamps supplied. None.
Nominal candle power. None.
Number municipal arc lamps, 27.
Nominal candle power, 1,500 C.P.
Number incandescent lamps supplied:
  Municipal, 6.
  Commercial, 3,500.
Nominal candle power, 32 C.P.
Amount of power supplied to customers K.W. None.
Price charged for com. arc lamps.
Price charged for com. incandescent lamps, 10c., 9c., 6 2-3 per K.W.
Price charged for electric power per K.W.
Cost per public arc lamp, per annum, $60, est.
Cost per public incandescent lamp, $12, est.

Gross earnings	$8,453 26	
Less operating expenses	7,904 89	
Net earnings from operation		$548 37
Assets:		
Total cost of plant		$39,593 41
Liabilities:		
Debentures current		$35,149 11
Operating expenses:		
Salaries, production	$1,542 04	
Wages, production	....	
Fuel	3,154 33	
Oil, waste and sundries	....	
Supplies	349 63	
General expenses and repairs	124 75	
Depreciation	....	
		5,170 75
Wiring and jobbing	$334 11	
General expenses	51 16	
Sundry expenses	1,382 29	
		1,767 56
		$6,938 31
Interest debentures		966 58
Total expenses		$7,904 89

ELECTRIC LIGHT AND POWER WORKS, MUNICIPALITY OF PORT ARTHUR.

Plant acquired or installed, 1895.
Total assessed valuation of real estate in municipality, $11,538,643.
Amount at par of bonds issued during year for lighting and power purposes, $78,000.
Amount of outstanding debentures, 31st December 1908, $286,613.23.
Motive power. Water.
Number com. arc lamps supplied, 20.
Nominal candle power.
Number municipal arc lamps.
Nominal candle power.
Number incandescent lamps supplied:
  Municipal, 412.
  Commercial, 15,997
Nominal candle power, 8, 16 and 32 C.P.
Amount of power supplied to customers K.W.
Price charged for com. arc lamps. None used.
Price charged for com. incandescent lamps. Ranges from $3.25 to $9.00 per month, 16 C.P.
Price charged for electric power per K.W., $25.00 per H.P. yearly.
Cost per public arc lamp, $48.00, est.
Cost per public incandescent lamp, $4.38, est.

Gross earnings:		
Com'l arc and incan. lights	$48,341 84	
Street lighting	2,495 32	
Com'l power service	3,383 34	
Municipal power service	34,000 00	
Railway service	8,822 88	
		$97,043 38
Operating expenses		64,262 52
Net earnings from operation		$32,780 86
Interest on debenture debt	$12,888 59	
Sinking fund	5,929 43	
Interest on capital invested over debenture issue	2,514 04	
Other deductions		$21,332 06
Surplus for year 1908		$11,448 80
Assets:		
Value of plant and equipment		$338,214 94
Liabilities:		
Debentures current		286,613 23
Operating expenses:		
Salaries, production	$3,083 10	
do distribution	1,200 00	
Wages	....	
Repairs	5,547 70	
Fuel	1,518 44	
Oil, waste and sundries	110 89	
Water power	31,000 00	
Power purchased	16,667 84	
General expenses	3,702 31	
Depreciation	1,432 24	
Total operating expenses		$64,262 52

ELECTRIC LIGHT AND POWER WORKS, MUNICIPALITY OF SOUTHAMPTON.

Plant acquired or installed. Owns none.

Total assessed valuation of real estate in municipality, $439,564.

Amount at par of bonds issued during year for lighting and power purposes.

Amount of outstanding debentures, 31st December, 1908.

This municipality does not operate an electric plant. Buys its light and power from the Saugeen Electric Light & Power Co.

ELECTRIC LIGHT AND POWER WORKS, MUNICIPALITY OF STRATHROY.

Plant acquired or installed, 1903.
Total assessed valuation of real estate in municipality. Not given.
Amount at par of bonds issued during year for lighting and power purposes.
Amount of outstanding debentures, 31st December, 1908, $60,000.
Motive power. Steam.
Number com. arc lamps supplied. None.
Nominal candle power. None.
Number municipal arc lamps, 15.
Nominal candle power, 2,000 C.P.
Number incandescent lamps supplied: Municipal, 40.
Nominal candle power, 32 C.P.
Amount of commercial incandescents, 4,500, 8 C.P.
Price charged for com. arc lamps, $84.00.
Price charged for com. incandescent lamps, $4.00.
Price charged for electric power per K.W., 12c. K.W.H.
Cost per public arc lamp. Not given.
Cost per public incandescent lamp. Not given.

Gross earnings:

As detailed below.	*$9,715 11	
Less operating expenses	7,245 71	
Net earnings from operation		$2,469 40
Add profits of installation		888 43
		$3,357 83

Deductions from net income	
Interest on debenture debt	3,469 81
Sinking fund	
Reconstruction reserve fund	
Other deductions	
Deficit for year	$111 98

*Earnings:

Com'l arc lights	$404 32
Com'l incandescent lights	5,273 80
Street arc lights	1,279 17
Other sources	2,757 82
	$9,715 11

Operating expenses:

Salaries, production	$2,242 22	
Wages, production		
Fuel	3,704 83	
Oil, waste and sundries	193 32	
Repairs	547 96	
General expenses	557 18	
Depreciation		
Total operating expenses.		$7,245 71

Assets:

Value of plant and equipment. Not given.

Liabilities:

Debentures current. Not given.

ELECTRIC LIGHT AND POWER WORKS, MUNICIPALITY OF STREETSVILLE.

Plant acquired or installed, 1907.
Total assessed valuation of real estate in municipality, $196,609.
Amount at par of bonds issued during year for lighting and power purposes.
Amount of outstanding debentures, 31st December, 1908, $7,500.
Motive power. Steam.
Number com. arc lamps supplied. None.
Nominal candle power. None.
Number municipal arc lamps. None.
Nominal candle power.
Number incandescent lamps supplied:
Municipal, 33.
Commercial, 700, 32-16 C.P.
Nominal candle power, 32 C.P.
Amount of power supplied to customers K.W.
Price charged for com. arc lamps
Price charged for com. incandescent lamps, 6c. K.W.H.
Price charged for electric power per K.W. None sold.
Cost per public arc lamp. No record.
Cost per public incandescent lamp. No record.

Gross earnings	$857 77
Less operating expenses	631 00
Net earnings from operation	$226 77
Deductions from net income	
Interest on debenture debt, $20,545.48—4 per cent.	821 82
Sinking fund	
Reconstruction reserve fund	
Other deductions	
Deficit for year	$595 05

Operating expenses:

Salaries, production	$600 00

ELECTRIC LIGHT AND POWER WORKS, MUNICIPALITY OF STREETSVILLE.—*Continued.*

Wages, production	....	
Fuel	21 00	
Oil, waste and sundries	10 00	
Repairs	....	
General expenses ..	....	
Depreciation	....	
Total operating expenses.		$631 00

Assets:

Value of plant, etc.	$22,000 00

Liabilities:

Debentures current, 31st Dec., 1908	$20,545 48

ELECTRIC LIGHT AND POWER WORKS, MUNICIPALITY OF ST. MARYS.

Plant acquired or installed 1900-1901.

Total assessed valuation of real estate in municipality, $1,358,470.

Amount at par of bonds issued during year for lighting and power purposes. None.

Amount of outstanding debentures, 31st December, 1908, $19,560.10.

Motive power. Steam.

Number com. arc lamps supplied, 32.

Nominal candle power, 1,000 C.P.

Number municipal arc lamps, 45.

Nominal candle power, 1,800.

Number incandescent lamps supplied: Municipal, 8.

Nominal candle power, 50.

Number commercial incandescent lights, 5,000, 16 C.P.

Amount of power supplied to customers K.W.

Price charged for com. arc lamps, 9c. K.W.H.

Price charged for com. incandescent lamps, 9c. K.W.H.

Price charged for electric power per K.W.

Cost per public arc lamp, $60 per annum.

Cost per public incandescent lamp. Not given.

Gross earnings:

Com'l arc and incandescent lights	$6,361 02	
Municipal lighting.	2,800 00	
		$9,161 02
Operating expenses		8,227 38
		$933 64
Deductions from net income....		....
Interest on debenture debt, $19,560.10, 4 per cent., est.......		782 40
Sinking fund		....
Reconstruction reserve fund...		....
Other deductions		....
Surplus		$151 24

Operating expenses:

Salaries wages production...	$2,396 37
Fuel	5,831 01
Oil, waste and sundries	....
Repairs	....
General expenses	....
Depreciation	....
Total operating expenses.	$8,227 38

Assets:

Plant and equipment	$41,164 56

Liabilities:

Debentures current	$19,560 10

ELECTRIC LIGHT AND POWER WORKS, MUNICIPALITY OF ST. THOMAS.

Plant acquired or installed, 1905.

Total assessed valuation of real estate in municipality, $5,888,750.

Amount at par of bonds issued during year for lighting and power purposes. None.

Amount of outstanding debentures, 31st Dec., 1908, $210,606.51.

Motive power. Steam.

Number com. arc lamps supplied, 20.

Nominal candle power, 2,000 C.P.

Number municipal arc lamps, 80.

Nominal candle power, 2,000 C.P.

Number incandescent lamps supplied:
Municipal. None.
Commercial, 6,000.

Nominal candle power, 16 C.P.

Amount of power supplied to customers K.W., 150 K.W.

Price charged for com. arc lamps. None.

Price charged for com. incandescent lamps, 10c. K.W.H. net.

Price charged for electric power per K.W., 7c. K.W.H. net.

Cost per public arc lamp, $80.00.

Cost per public incandescent lamp. No figures.

Gross earnings:

Arc and incandescent lights	$11,862 84	
Street arc lights...	6,938 51	
Commercial power service	2,671 31	
Railway service....	4,084 97	
Sundry items	1,069 28	
Total earnings		$26,626 91
Less operating expenses	$19,160 95	
Interest on debenture debt	....	

Electric Light and Power Works, Municipality of St. Thomas.—*Continued.*

Sinking fund	3,389 54	
Reconstruction reserve fund	....	
Other deductions	....	
		$22,550 49
Surplus for year 1908		$4,076 42

Operating expenses:		
Salaries, production	....	
Wages, production	$5,848 89	
Fuel	11,024 41	
Oil, waste and sundries	1,989 30	
Repairs	298 35	
General expenses	....	
Depreciation		....
Total operating expenses		$19,160 95

Assets:		
Value of plant	$55,174 91	
Supplies	301 50	
		$55,476 41
Liabilities:		
Debentures current for gas and electric lighting plant	$210,606 51	
Deduct proportion of debenture debt relating to gas plant say	162,606 51	
		$48,000 00

Electric Light and Power Works, Municipality of Thamesville.

Plant acquired or installed, 1903.
Total assessed valuation of real estate in municipality, $2,283.75.
Amount at par of bonds issued during year for lighting and power purposes. None.
Amount of outstanding debentures, 31st December, 1908, $6,007.86.
Motive power. Steam.
Number com. arc lamps supplied. None.
Nominal candle power.
Number municipal arc lamps. None.
Nominal candle power. None.
Number incandescent lamps supplied, 52.
Nominal candle power, 32 C.P.
Amount of power supplied to customers K.W. None.
Price charged for com. arc lamps. None.
Price charged for com. incandescent lamps, $10.00 per 32 C.P.
Price charged for electric power per K.W. None.
Cost per public arc lamp. None.
Cost per public incandescent lamp, $10, estimated.

Gross earnings	$3,201 54	
Less operating expenses	2,658 54	
Net earnings from operation		$543 00
Deductions from net income		....
Interest on debenture debt		375 90
Sinking fund		....
Reconstruction reserve fund		....
Other deductions		....
Surplus		$167 10

Operating expenses:	
Salaries production	Details not given.
Wages, production	
Fuel	
Oil, waste and sundries	
Repairs	
General expenses	
Depreciation	

Total operating expenses	$3,034 44
Assets:	
Plant and equipment, est.	$7,500 00
Liabilities:	
Debentures current, 31st Dec., 1908	6,007 86

Electric Light and Power Works, Municipality of Thessalon.

Plant acquired or installed, 1901.
Total assessed valuation of real estate in municipality, $122,862.
Amount at par of bonds issued during year for lighting and power purposes. None.
Amount of outstanding debentures, 31st December, 1908, $11,527.74.
Motive power. Steam.
Number com. arc lamps supplied. None.
Nominal candle power. None.
Number municipal arc lamps, 13.
Nominal candle power, 1,200.
Number incandescent lamps supplied, 950.
Nominal candle power, 16 C.P.
Amount of power supplied to customers K.W. None.
Price charged for com. arc lamps. None.
Price charged for com. incandescent lamps, $4.00 per year.
Price charged for electric power per K.W. None sold.
Cost per public arc lamp, $35.
Cost per public incandescent lamp, $4.

Gross earnings	$3,786 96	
Less operating expenses	2,508 05	
Net earnings from operation		$1,278 91

Electric Light and Power Works, Municipality of Thessalon.—*Continued.*

Deductions from net income....		....
Interest on debenture debt.....		589 20
Sinking fund		....
Reconstruction reserve fund....		....
Other deductions		....
Surplus for year 1908....		$689 71
Operating expenses:		
Salaries, production	$529 50	
Wages, production.	....	
Fuel	1,696 83	
Oil, waste and sundries	179 22	
Repairs	102 50	
General expenses ..	....	
Depreciation	....	
Total operating expenses		$2,508 05
Assets:		
Plant and equipment		$12,015 47
Liabilities:		
Debentures current		$11,527 74

Electric Light and Power Works, Municipality of Weston.

Plant acquired or installed, 1899.

Total assessed valuation of real estate in municipality, $560,000.

Amount at par of bonds issued during year for lighting and power purposes. None.

Amount of outstanding debentures, 31st December, 1908, $451,230.

Motive power. Steam.

Number municipal arc lamps supplied, 20.

Nominal candle power, 1,200.

Number municipal arc lamps. None.

Nominal candle power. None.

Number incandescent lamps supplied, 100, 16 C.P.

Nominal candle power, 4 at 32 C.P.

Amount of power supplied to customers K.W., 8c. K.W.H.

Price charged for com. arc lamps. Not given.

Price charged for com. incandescent lamps. Not given.

Price charged for electric power per K.W., 8c. K.W.H.

Cost per public arc lamp. Not given.

Cost per public incandescent lamp. Not given.

Gross earnings:		
Power and lighting	$2,325 85	
Street lighting, etc.	1,539 48	
		$3,865 33
Operating expenses		3,771 87
Net earnings from operation		$93 46
Deductions from net income....		....
Interest on debenture debt		193 46
Sinking fund		....
Reconstruction reserve fund...		....
Other deductions		....
Deficit		$100 00
Assets:		
Value of plant, etc.		$12,088 49
Liabilities:		
Debentures, current		$4,512 30
Operating expenses:		
Salaries, production	$720 00	
Wages, production.	....	
Fuel	1,482 26	
Oil, waste and sundries	53 66	
Repairs and general expenses	1,515 95	
Depreciation	....	
Total operating expenses		$3,771 87

Electric Light and Power Works, Municipality of Wingham.

Plant acquired or installed, 1892.

Total assessed valuation of real estate in municipality, $702,710.

Amount at par of bonds issued during year for lighting and power purposes, $7,000.

Amount of outstanding debentures, 31st December, 1908, $34,702.80.

Motive power. Steam and water.

Number com. arc lamps supplied, 1.

Nominal candle power, 2,000 C.P.

Number municipal arc lamps, 28.

Number candle power, 2,000 C.P.

Number incandescent lamps supplied:
  Municipal, 25.
  Commercial, 4,000.

Amount of power supplied to customers K.W., 9c. net.

Price charged for com. arc lamps. No record.

Price charged for com. incandescent lamps. No record.

Price charged for electric power per K.W., 9c. net.

Cost per public arc lamp. No record.

Cost per public incandescent lamp. No record.

Gross earnings:		
Arcs and incandescent lights	$7,082 17	
Less operating expenses	6,382 46	
Net earnings from operation		$699 71

ELECTRIC LIGHT AND POWER WORKS, MUNICIPALITY OF WINGHAM.—*Continued.*

Deductions from net income....	....
Interest on debenture debt	1,109 14
Sinking fund	....
Reconstruction reserve fund ...	....
Other deductions	....
Deficit for 1908	$409 43

Operating expenses:

Salaries, production	$1,053 00
Salaries, distribution	1,354 15
Wages, production.	
Fuel	1,094 27
Oil, waste and sundries	155 00
Repairs and general expenses ...	2,726 04
Depreciation	....
Total operating expenses..	6,382 46

Assets:

Plant and equipment........	$42,000 00

Liabilities:

Debentures current, 31st Dec., 1908	34,102 80

ELECTRIC LIGHT AND POWER WORKS, MUNICIPALITY OF WINDSOR.

Plant acquired or installed, 1891.
Total assessed valuation of real estate in municipality, $8,042.89.
Amount at par of bonds issued during year for lighting and power purposes.
Amount of outstanding debentures, 31st December, 1908, $15,000.
Motive power. Steam.
Number com. arc lamps supplied, 10.
Nominal candle power, 2,000 C.P.
Number municipal arc lamps, 189.
Nominal candle power, 50.
Number incandescent lamps supplied. None.
Nominal candle power.
Amount of power supplied to customers K.W., $72.
Price charged for com. arc lamps.
Price charged for com. incandescent lamps. None.
Price charged for electric power per K.W. None sold.
Cost per public arc lamp, $50, estimated.
Cost per public incandescent lamp. None.

Gross earnings:

Outside of municipal service..	$888 71
Deductions from net income....	....
Interest on debenture debt	....
Sinking fund	....
Reconstruction reserve fund...	....
Other deductions	....
Surplus or deficit	....

This plant is operated by municipality for municipal lighting only, except in a few cases where current cannot be obtained elsewhere. The expenses are paid out of general municipal fund, and the revenue goes into the general municipal revenue.

Operating expenses:

Salaries, production	Paid out of General Municipal Fund.
Wages, production	
Fuel.............	
Oil, waste and sundries...........	
Repairs...........	
General Expenses.	
Depreciation........	
Total operating expenses	....

Assets:

Value of plant, etc.	$32,100 00

Liability:

Bonds current, 31st Dec., 1908	$15,000 00
Sinking fund on hand	13,332 57
Net liability	$1,667 43

ELECTRIC LIGHT AND POWER WORKS, MUNICIPALITY OF WOODSTOCK.

Plant acquired or installed, 1900.
Total assessed valuation of real estate in municipality, $4,183,683.
Amount at par of bonds issued during year for lighting and power purposes, $2,694.
Amount of outstanding debentures, 31st December, 1908, $65,689.32.
Motive power. Steam.
Number com. arc lamps supplied, 87.
Nominal candle power, 6 ampere.
Number municipal arc lamps, 90.
Nominal candle power, 6-6 ampere.
Number incandescent lamps supplied: Commercial, 8,880.
Nominal candle power, 16 C.P.
Amount of power supplied to customers K.W., 8.6 per K.W.
Price charged for com. arc lamps.
Price charged for com. incandescent lamps.
Price charged for electric power per K.W., 3— and 6 K.W.H.
Cost per public arc lamp, $45.00, est.
Cost per public incandescent lamp.

Gross earnings:

Com'l arc lights, F.R.	$918 68
Com'l and inc. Lts., meter	12,490 45

ELECTRIC LIGHT AND POWER WORKS, MUNICIPALITY OF WOODSTOCK.—*Continued.*

Street arc lights...	5,295 00	
For power	2,360 70	
Rent of meters, $1,001.93; interest, $237.93	1,239 86	
		$22,304 69
Operating expenses		14,365 26
		$7,939 43
Deductions from net income	....	
Interest on debenture debt	$2,689 74	
Sinking fund	2,289 56	
		$4,979 30
Reconstruction reserve fund....		
Other deductions		
Surplus for year		$2,960 13

Operating expenses:

Salaries, production	$1,736 37
Wages, production.	....
Fuel	7,394 31
Oil, waste and sundries	392 32
Repairs	1,005 86
General expenses ..	*3,836 40
Depreciation	....
Total operating expenses.	$14,365 26

Salaries, distribution.	$670 75
Renewals, I. Lts......	519 18
Operating and repairing street lamps...	283 64
Repairs poles and lines	368 05
Repairs meters	3 49
Repairs transformers.	169 48
Office salaries	1,400 00
Registering and collecting	180 00
Other extras	241 81
	*$3,836 40

Assets:

Plant and equipment	$72,116 56

Liabilities:

Debentures current, 31st Dec., 1908	$65,689 32
Less sinking fund	13,203 39
Net liabilities	$52,685 93

*See above.

ELECTRIC LIGHT AND POWER WORKS, MUNICIPALITY OF WALTHAM.

Plant acquired or installed, 1890.

Total assessed valuation of real estate in municipality, $290,000.

Amount at par of bonds issued during year for lighting and power purposes, $3,000.

Amount of outstanding debentures, 31st December, 1908, $3,000.

Motive power. Steam.

Number com. arc lamps supplied. None.

Nominal candle power.

Number municipal arc lamps. None.

Nominal candle power.

Number incandescent lamps supplied: Municipal, 70.

Nominal candle power, 16-32 C.P.

Commercial incandescent lights, 1,300; 5-8-16-32 C.P.

Amount of power supplied to customers K.W.

Price charged for com. arc lamps. None.

Price charged for com. incandescent lamps, 10c. K.W.H.

Price charged for electric power per K.W. None.

Cost per public arc lamp. None.

Cost per public incandescent lamp. No data.

Operating expenses:

Salaries, production	$540 00	
Wages, production.	....	
Fuel	1,110 85	
Oil, waste and sundries	....	
Repairs	....	
General expenses ..	199 21	
Depreciation	....	
Total operating expenses		$1,850 06

Assets:

Plant and equipment		....

Liabilities:

Debentures current, 31st Dec., 1908		$2,760 00

Gross earnings:

As detailed below..	$1,944 00	
Less operating expenses	1,850 06	
Net earnings from operation		$93 34
Deductions from net income....		
Interest on debenture debt, $2,760, say 4 per cent.		110 40
Sinking fund		
Reconstruction reserve fund...		
Other deductions		
Deficit for year		$16 46

Earnings:

From com'l incandescents....	$1,594 00
Street lighting and public buildings	350 00
	$1,944 00

PUBLIC UTILITIES, ELECTRIC LIGHT AND POWER PLANTS.

Tabulated Statement Compiled from Returns of Municipalities as at December 31st, 1908.

Municipalities.	Total Investment.	Debenture and other Debts.	Sinking Fund.	Net Debt.	Income.	Expenditure.	Surplus.
	$ c.	$ c.	$ c.	$ c.	$ c.	$ c.	$ c
Acton							
Alexandria							
Almonte					9,022 28	5,985 40	3,036 88
Amherstburg							
*Aylmer	*90,000 00	59,018 37		59,018 37	11,366 05	8,805 43	2,560 62
Barrie	76,524 85	51,892 10		51,892 10	18,279 91	16,620 84	1,659 07
Berlin		157,657 78		157,657 78	47,705 88	42,269 26	5,436 62
Blenheim	9,136 55	2,871 84		2,871 84	3,377 70	2,752 06	625 64
Bobcaygeon	26,000 00	42,952 00		42,952 00	917 98	1,534 00	‡616 02
Bothwell	6,600 00	2,474 53		2,474 53	2,269 94	2,006 43	263 51
Bracebridge	66,714 30	45,053 22		45,053 22	12,712 34	6,319 06	6,393 28
Brockville	190,105 40	131,192 79		131,192 79	19,617 43	15,678 25	3,939 18
Campbellford							
Chatham	15,000 00	15,000 00		15,000 00			
Clifford							
Collingwood	55,068 15	25,125 72	9,148 48	15,977 24	17,808 42	15,406 19	2,402 23
Dresden	13,881 55	8,581 60		8,581 60	4,756 63	3,778 03	978 60
Dundalk	6,000 00	4,046 91		4,046 91	500 00	367 90	133 10
Fenelon Falls		68,250 00		68,250 00	6,426 99	4,857 09	1,569 90
Fort Frances							
Fort William							
Goderich							
Gravenhurst							
Guelph	91,546 91	†75,000 00		†75,000 00	34,947 45	20,814 60	14,132 85
Grimsby							
Hespeler	10,914 11	9,360 02		9,360 02	5,420 45	6,406 34	‡985 89
Huntsville							
Iroquois	25,000 00	†14,000 00		14,000 00	1,920 13	1,491 41	428 72
Kenora	387,660 87	†428,000 00		428,000 00	49,474 82	47,154 05	2,320 77
Kincardine	20,228 13	9,215 17		9,215 17	6,295 28	6,254 20	41 08
Kingston	190,320 00	†215,715 00		215,715 00	13,159 67	8,630 34	4,529 33
Madoc	15,000 00	7,200 00		15,000 00	3,423 21	3,501 54	†78 33
Markham					1,944 00	1,850 06	93 94
Meaford							
Merritton							
Midland	47,711 40	34,489 14		34,489 14	12,658 88	9,194 80	3,464 08

Milton							
Mitchell							
Morrisburg	35,000 00	†43,890 00		43,890 00	1,684 42	1,755 60	‡71 18
Mt. Forest	15,000 00	10,310 65		10,310 65	5,611 71	4,790 00	821 71
Napanee	34,283 63	43,051 97		43,051 97	8,277 96	7,772 66	505 30
Newmarket	49,625 00	11,052 00		11,052 00	5,826 46	6,046 80	‡220 34
Niagara	21,500 00	19,000 00		19,000 00	2,529 87	1,772 91	756 96
Niagara Falls	127,757 00	90,568 38		90,568 38	32,470 44	34,080 93	‡1,610 49
North Toronto	10,000 00	10,000 00		10,000 00	705 00	1,696 05	‡991 05
Orillia							
Ottawa					106,800 36	81,449 99	25,350 37
Oshawa							
Owen Sound		45,000 00	14,171 80	30,828 20	26,917 99	19,679 96	7,238 03
Palmerston	19,050 00	11,567 00	11,567 00		5,302 00	5,357 00	‡55 00
Paris		35,000 00		35,000 00	7,187 10	8,853 59	‡1,666 39
Parry Sound							
Perth	12,000 00	10,900 00		10,900 00	3,024 46	2,633 61	290 85
Picton							
Port Arthur	338,214 94	286,613 23			97,043 38	85,594 58	11,448 80
Port Perry	24,000 00	21,954 59		21,954 59	4,526 09	4,242 39	283 70
Powassan							
Prescott	29,824 75	18,437 90		18,437 90	9,200 85	7,790 26	1,410 59
Preston	39,593 41	35,149 11		35,149 11	8,453 26	7,904 89	548 37
Southampton	Buys light from	private company					
Streetsville	22,000 00	20,545 48		20,545 48	857 77	1,452 82	‡595 05
Saint Mary's	41,164 56	19,560 10		19,560 10	9,161 02	9,009 78	151 24
Strathroy					3,357 83	3,469 81	‡111 98
Saint Thomas	55,476 41	48,000 00		48,000 00	26,626 91	22,550 49	4,076 42
Sudbury							
Thamesville	†7,500 00	6,007 86		6,007 86	3,201 54	3,034 44	167 10
Thessalon	12,015 47	11,527 74		11,527 74	3,786 96	3,097 25	689 71
Thorold							
Tottenham							
Weston	12,088 49	4,512 30		4,512 30	3,865 33	3,965 33	‡100 00
Whitby							
Winchester							
Windsor	32,100 00	15,000 00	13,332 57	1,667 43			
Wingham	42,000 00	34,102 80		34,102 80	7,082 17	7,491 60	‡409 43
Woodstock	72,116 56	65,689 32	13,203 39	52,685 93	22,304 69	19,344 56	2,960 13
Waltham		2,760 00		2,760 00	1,944 00	1,960 46	‡16 46

* Includes Water Works plant. † Estimated. ‡ Deficit.

GAS PLANTS OPERATED BY MUNICIPALITIES FOR YEAR ENDING 31ST DECEMBER, 1908.

Gas Works, Municipality of Belleville.

Date of vote to establish plant. Plant taken over from private company.

Date plant installed or acquired, 1904.

Total assessed value of real estate municipality, $4,286,078.00.

Debenture debt in respect of gas plant.

Number of street gas lamps. None.

Number of feet of gas sold to general consumers, 16,856,800 feet.

Number of service pipes in use, 1,140.

Cost of street lamp per year. Not given.

Net price per 1,000 cubic feet lighting, $1.75.

Net price per 1,000 cubic feet fuel purposes, $1.25.

Schedule of discounts and minimum charges, if any.

Gross earnings from operation, ordinary meters		$18,960 85
For lighting		4,181 25
		$23,142 10
From other sources		140 00
		$23,282 10
For power		
Less discounts		....
From coke sold	$758 47	
From tar	68 89	
From gas lamps	....	
Revenue	627 58	
		1,454 94
Gross earnings		$24,737 04

Income:

Gross earnings	24,737 04	
Operating expenses	15,540 07	
Net earnings		$9,196 97
Deductions	....	
Interest on funded debt	$3,806 86	
Interest on floating debt	2,316 95	
Other deductions, sinking fund	558 22	
		6,682 03
Total net income		$2,514 94
Surplus		....
Construction and equipment	....	
Value of land occupied by plant	$1,400 00	
Value of buildings	12,087 03	
Value of machinery and apparatus	17,936 46	
Value of street mains and of services	39,409 23	
Value of meters	8,545 02	
Value of street lamps and fixtures	....	
Value of tools and appliances	....	
Value of staple equipment	....	
Value of other assets	459 93	
		79,837 67
Total assets		$79,837 67
Debenture debt		....
Overdraft		....
Other indebtedness		....
Total debt		....
Amount invested in sinking fund		....

Gas Works, Municipality of Brockville.

Date of vote to establish plant, 1900.

Date plant installed or acquired.

Total assessed value of real estate municipality, $3,860,045.

Debenture debt in respect of gas plant, $131,192.79.

Number of street gas lamps, 78.

Number of feet of gas sold to general consumers, 29,617,600 feet.

Number of service pipes in use.

Cost of street lamp per year, $22 per annum.

Gross price per 1,000 cubic feet lighting, $1.25 net.

Gross price per 1,000 cubic feet fuel, $1.25 net.

Schedule of discounts and minimum charges, if any.

Construction and equipment Value of land occupied by plant Value of buildings Value of machinery and apparatus Value of street mains Value of services Value of meters Value of street lamps and fixtures Value of tools and appliances Value of staple equipment Value of other assets	$187,903 00
Total assets	$187,903 00
Debenture debt	$131,192 79
Over draft	....

GAS WORKS, MUNICIPALITY OF BROCKVILLE.—*Continued.*

Other indebtedness	....
Total debt	$131,192 79
Amount invested in sinking fund	....
Gross earnings from operation For lighting For cooking and heating For power	$30,804 50
Less discounts	4,982 63
	$25,821 87
From meters	....
From gas stoves and engines	....
From gas lamps	1,716 00
Public buildings	3,928 50
Gross earnings	$31,466 37

Income:

Gross earnings	$31,466 37
Operating expenses	23,814 26
Net earnings	$7,652 11
Deductions	....
Interest on funded debt	3,051 71
Interest on floating debt	....
Other deductions	....
Total net income	$4,600 40

GAS WORKS, MUNICIPALITY OF GUELPH.

Date of vote to establish plant, 1903.

Date plant installed or acquired. Acquired a private plant.

Total assessed value of real estate in municipality.

Debenture debt in respect of gas plant.

Number of gas arcs for commercial lighting, 25.

Number of feet of gas sold to general consumers, 33,588,000 feet.

Number of service pipes in use. Not given.

Cost of street lamp per year. None.

Price per 1,000 cubic feet lighting, $1.50; net price, $1.00.

Gross price per 1,000 cubic feet fuel, $1.50; net price, $1.00.

Schedule of discounts and minimum charges, if any, 33 1-3 per cent. discount.

Gross earnings from sale of gas	$36,509 65
From coke sold	9,952 08
From tar sold	1,647 86
From other residuals	483 39
	$48,592 98
From miscellaneous sources	206 25
	$48,799 23

Income Account:

Gross earnings as above		$48,799 23
Operating expenses:		
Wages and salaries	$21,875 32	
Fuel	3,050 00	
Repairs, etc.	7,179 45	
Interest on funded debt	5,973 91	
Sinking fund	770 73	
Other deductions	....	
		38,849 41
Total net income		$9,949 82

Construction and equipment	....
Value of land occupied by plant	$8,790 00
Value of buildings	21,300 00
Value of machinery and apparatus	83,565 80
Value of street mains	41,700 58
Value of services	16,244 00
Value of meters	10,175 26
Value of street lamps and fixtures	....
Value of tools and appliances	2.000 00
Value of staple equipment	....
Value of other assets	200 00
Total assets	$183,975 64
Debenture debt	....
Over draft	....
Other indebtedness	....
Total debt	....
Amount invested in sinking fund	$4,204 72

GAS WORKS, MUNICIPALITY OF KINGSTON.

Date of vote to establish plant.

Date plant installed or acquired. Acquired from private company 1904.

Total assessed value of real estate in municipality, $7,146,075.

Debenture debt in respect of gas and electric plants, $278,375.00.

Number of street gas lamps.

Number of feet of gas sold to general consumers, 33,779,300 feet.

Number of service pipes in use, 1,304.

Cost of street lamp per year.

Price per 1,000 cubic feet lighting, $1.00 net.

Price per 1,000 cubic feet fuel, $1.00 net.

Schedule of discounts and minimum charges, if any.

Construction and equipment Value of land occupied by plant Value of buildings Value of machinery and apparatus Value of street mains Value of services Value of meters Value of street lamps and fixtures Value of tools and appliances Value of staple equipment Value of other assets	$151,192 85

GAS WORKS, MUNICIPALITY OF KINGSTON.—*Continued.*

Total assets	$151,192 85
Debenture debt	*$285,575 00
Gross earnings from operation	$32,684 06
For lighting	....
For cooking and heating	....
For power	....
Less discounts	....
From meters	2,764 72
From gas stoves and engines	....
From gas lamps	....
Miscellaneous	505 19
Gross earnings	$35,953 97

Income Account:

Gross earnings, as above	$35,953 97
Operating expenses	27,327 28
	$8,626 69
Deductions	....
Interest on funded debt	8,630 34
Interest on floating debt	....
Other deductions	....
Deficit	$3 65

*Inclusive of debentures issued to cover cost of electric light plant.

Amount invested in sinking fund.

GAS WORKS, MUNICIPALITY OF OWEN SOUND.

Date of vote to establish plant.

Date plant installed or acquired. Acquired private plant 1903.

Total assessed value of real estate in municipality $4,740,556.

Debenture debt in respect of gas plant, $99,000.

Number of street gas lamps. None.

Gas arcs, 54.

Number of feet of gas sold to general consumers, 147,445,000.

Number of service pipes in use, 547.

Cost of street lamp per year. Not given.

Gross price per 1,000 cubic feet lighting. Net $1.20.

Gross price per 1,000 cubic feet fuel. Net $1.20.

Schedule of discounts and minimum charges, if any.

Construction and equipment	$85,732 95
Value of land occupied by plant	
Value of buildings	
Value of machinery and apparatus	
Value of street mains	
Value of services	
Value of meters	
Value of street lamps and fixtures	
Value of tools and appliances	
Value of staple equipment	
Value of other assets	
Total assets	....

Debenture debt	$99,000 00
Over draft	....
Other indebtedness	....
Total debt	$99,000 00

Amount invested in sinking fund.

Gross earnings from operation:		
For lighting, cooking and heating		$17,693 50
From coke	$3,564 86	
From tar	207 71	
		3,772 57
Gross earnings		$21,466 07

Income Account:

Gross earnings as above		$21,466 07
Operating expenses	$15,789 63	
Net earnings	....	
Deductions	....	
Interest on funded debt	3,172 50	
Interest on floating debt	288 59	
		19,250 72
		$2,215 35
Interest on investments		$723 07
Total net income		2,938 42
Sinking fund		4,202 01
Reconstruction reserve fund		....
Deficit		$1,265 59

GAS WORKS, MUNICIPALITY OF ST. THOMAS.

Date of vote to establish plant.

Date plant installed or acquired. Acquired a private plant in 1905.

Total assessed value of real estate in municipality $6,833,672.

Debenture debt in respect of gas plant (inclusive of electric light debentures), $210,606.51.

Number of street gas lamps, 107.

Number of feet of gas sold to general consumers, 42,962,231 feet.

Number of service pipes in use, 1,857.

Cost of street lamp per year.

Gross price per 1,000 cubic feet lighting, $1.10 net.

Gross price per 1,000 cubic feet fuel, $1.10 net.

Schedule of discounts and minimum charges, if any.

GAS WORKS, MUNICIPALITY OF ST. THOMAS.—*Continued.*

Construction and equipment.	$185,477 47
Value of land occupied by plant	
Value of buildings	
Value of machinery and apparatus	
Value of street mains	
Value of services	
Value of meters	
Value of street lamps and fixtures	
Value of tools and appliances	
Value of staple equipment	
Value of other assets	
Total assets	$185,477 47
Debenture debt	210,606 51

*Inclusive of electric light debentures.

Other indebtedness		....
Total debt		....
Amount invested in sinking fund		....
Gross earnings from operation		$43,566 64
For lighting streets		2,140 00
From coke		8,045 66
From tar		1,998 07
From sundry sources		151 54
Less discounts		....
		$55,901 91
From meters		....
From gas stoves and engines.		....
From gas lamps		....
Miscellaneous		....
Gross earnings		....

Income Account:

Gross earnings as above		$55,901 91
Operating expenses:		
Salaries and wages	$10,121 60	
Coal and oil	19,666 33	
General expenses	5,501 33	
Deductions		....
Interest on funded debt	6,779 08	
Interest on floating debt	....	
Other deductions	....	
		42,068 34
Total net income		$13,833 57
Surplus		$13,833 57

PUBLIC UTILITIES, GAS WORKS.

Tabulated Statements from Reports of Municipalities for year ending Dec. 31st, 1908.

Name of Municipality.	Investment.	Debenture and Other Debts.	Sinking Fund.	Net Debt.	Income.	Expenditure.	Surplus.
	$ c.	$ c.	$ c.	$ c.	$ c.	$ c.	$ c.
Belleville	79,837 67	Not given.			24,737 04	22,222 10	2,514 94
Brockville	187,903 00	131,192 79		131,192 79	31,466 37	26,865 97	4,600 40
Kingston	151,192 85	* 285,575 00			35,953 97	† 35,957 62	3 65
Owen Sound	85,732 95	99,000 00			22,189 14	† 23,454 73	1,265 59
St. Thomas	185,477 47	* 210,606 51			55,901 91	42,068 34	13,833 57
Guelph	183,975 64				48,799 23	38,849 41	9,949 82

* Inclusive of Debentures issued to cover cost of Electric Light Plant. † Deficits.

TELEPHONE PLANTS OPERATED BY MUNICIPALITIES FOR YEAR ENDING 31st DECEMBER, 1908.

Telephones, Municipality of Kenora.

System installed, 1890.

Number of miles of wire owned:

(*a*) on poles, 500.
(*b*) on buildings, none.
(*c*) underground, none.

Rates of service:

Location connection, $35.00.
Commercial connection, $25.00.
Residence connection, $15.00.

Number public stations. None.

Number messages during year. Not given.

Number of subscribers, 370.

Number of daily messages. Not given.

Results of operation	....
Income:	
Gross income from local service	$7,949 16
Gross income from long distance	....
Other items	....
Total income	$7,949 16

Expenses of operation:	
Wages and general expenses Maintenance of cables, poles, etc.	$5,969 72
	$1,979 44
Interest on debentures. Not given.	
Other expenses	....
Gain on operation	....

Construction and equipment:	
Telephones	$12,650 00
Poles	
Value of cables	
Merchandise and machinery	
Unpaid accounts	
Cash on hand	
Cash in bank	
Debentures current	$10,780 00
Total liabilities	10,780 00

Telephones, Municipality of Port Arthur.

System installed, 1903.

Number of miles of wire owned:

(*a*) on poles, 586.
(*b*) on buildings.
(*c*) underground.

Rates of service:

Residence, $12.00 yearly.
Commercial, $24.00 yearly.

Number public stations, 1.

Number messages during year, 3,832,500.

Number of circuits, 1,200.

Number of daily messages 10,500.

Results of operation	....
Income:	
Gross income from local service	$15,839 60
Gross income from long distance	....
Other items	....
Total income	....

Expenses of operation:		
Wages and general expenses	$5,327 75	
Maintenance of cables, poles, etc.	3,208 77	
Interest on debentures and sinking fund	4,539 78	
Other expenses	2,482 45	
		15,558 75
Gain on operation		$280 85

Construction and equipment:	
Telephones	$83,074 67
Poles	
Value of cables	
Merchandise and machinery	
Unpaid accounts	
Cash on hand	
Cash in bank	
Total assets	$83,074 67
Debentures current	$78,070 15
Bank overdraft	....
Municipal overdraft	....
Municipal accounts	....
Total liabilities	$78,070 15

WATER WORKS OPERATED BY MUNICIPALITIES FOR THE YEAR ENDING 31ST DECEMBER, 1908.

WATER WORKS, MUNICIPALITY OF ALEXANDRIA.

Plant installed, 1904.
Gravity or pumping system. Pumping system.
Number of gallons pumped per year. Not given.
Total daily capacity of pumps. Not given.
Average daily consumption. Not given.
Cost of production for 1,000 gallons. Not given.
Population of municipality, 2,232.

Gross earnings:		
From sale of water		Not given.
By meter		
By contract		
From sale of meters		
From permits tapping mains		
From other sources		
Total income		....
Less operating expenses		....
Surplus or deficiency for year		....
Operating expenses:		
Salaries of officers, superintendents, clerks, etc.	$900 00	
Office supplies and expenses	....	
Insurance	88 80	
		$988 80
Legal expenses and damages		....
Other expenses		....
Wages		....
Supplies—Fuel, including electric light		1,133 72
Pumping station supplies		....
Filtration supplies		....
Other supplies		....
For repairs and renewals		....
Interest on bonds or loans		1,293 15
Total cost of production		$3,415 67

Capital Expenditure.

Reservoirs	$17,489 55
Cost of mains	
Cost of service pipes	
Cost of hydrants	
Cost of real estate and buildings	
Other assets	
Total assets	$17,489 55
Debentures or bonds current	33,015 43
Bank over draft	....
Municipal over draft	....
Total liabilities	*$33,015 43

*Inclusive of debentures issued for electric light works.

WATER WORKS, MUNICIPALITY OF ARNPRIOR.

Plant installed, 1901.
Gravity or pumping system. Pumping.
Number of gallons pumped per year, 70,000,000 gallons.
Total daily capacity of pumps, 144,000,000.
Average daily consumption, 192,000 gallons.
Cost of production for 1,000 gallons, 14c.
Population of municipality, 4,300.

Gross earnings:		
From sale of water		$5,540 07
By meter		
By contract		
From sale of meters		
From permits tapping mains		
From other sources		
Total income		$5,540 07
Less operating expenses		9,618 11
Deficiency for year		$4,078 04
Operating expenses:		
Salaries of officers, superintendents, clerks, etc.	$1,453 00	
Office supplies and expenses	....	
Insurance	....	
Legal expenses and damages	....	
Other expenses	829 52	
Wages	....	
Supplies—Fuel	4,230 93	
Pumping station supplies	434 25	
Filtration supplies	....	
Other supplies	64 24	
For repairs and renewals	842 71	
Interest on bonds or loans	1,763 46	
Total cost of production		$9,618 11

Capital Expenditure.

Land	$840 00	
Reservoirs	....	
Cost of mains	56,196 01	
Cost of service pipes		
Cost of hydrants		
Cost of buildings	3,989 00	
Other assets	14,237 00	
Total assets		$75,261 01
Debentures current		49,607 94
		$49,607 94

Water Works, Municipality of Aylmer.

Plant installed.
Gravity or pumping station. Pumping.
Number of gallons pumped per year. Not given.
Total daily capacity of pumps. Not given.
Average daily consumption. Not given.
Cost of production for 1,000 gallons. Not given.
Population of municipality. Not given.

Gross earnings:		
From sale of water	$2,256 96	
By meter	....	
By contract	....	
From hydrant service and fire protection	2,500 00	
From permits tapping mains	....	
From other sources	230 39	
Total income		$4,987 35
Less operating expenses		4,416 46
Surplus for year		$570 89

Operating expenses:		
Salaries of officers, superintendents, clerks, etc.	....	
Office supplies and expenses	....	
Insurance	....	
Legal expenses and damages	....	
Other expenses	....	
Wages	$699 96	
Supplies—Fuel	....	
Pumping station supplies	....	
Filtration supplies	....	
Other supplies	92 53	
For repair and renewals and per plant	1,426 40	
		$2,218 89
Debentures paid		2,197 57
Total cost of production		$4,416 46

Capital Expenditure.

Reservoirs	$66,022 00
Cost of mains	
Cost of service pipes	
Cost of hydrants	
Cost of real estate and buildings	
Other assets	
Total assets	$66,022 00
Debentures or bonds current	$33,337 18
Bank over draft	....
Municipal over draft	9,000 00
Total liabilities	$42,337 18

Water Works, Municipality of Beamsville.

Plant installed, 1895.
Gravity or pumping station. Gravity.
Number of gallons pumped per year. No record.
Total daily capacity of pumps. No record.
Average daily consumption. No record.
Cost of production for 1,000 gallons. No record.
Population of municipality, 967.

Gross earnings:	$390 50
From sale of water	
By meter	
By contract	
From sale of meters	
From permits tapping mains	
From other sources	
Total income	$390 52
Less operating expenses	1,366 60
Deficiency for year	$976 08

Operating expenses:		
Salaries of officers, superintendents, clerks, etc.	....	
Office supplies and expenses	$222 00	
Insurance	300 00	
Legal expenses and damages	....	
Other expenses	100 00	
Wages	....	
Supplies—Fuel	....	
Pumping station supplies	200 00	
Filtration supplies	....	
Other supplies	....	
		$822 00
For repairs and renewals		....
Interest on bonds or loans		544 60
Total cost of production		$1,366 60

Capital Expenditure.

Reservoirs	$9,000 00	
Cost of mains	8,000 00	
Cost of service pipes	2,000 00	
Cost of hydrants	700 00	
Cost of real estate and buildings	500 00	
		$20,200 00
Other assets		....
Total assets		$20,200 00
Debentures or bonds current		....
Bank over draft		....
Municipal over draft		$15,750 00
Total liabilities		$15,750 00

WATER WORKS, MUNICIPALITY OF BELLEVILLE.

Plant installed, 1880.
Gravity or pumping system. Pumping.
Number of gallons pumped per year, 453,882,000.
Total daily capacity of pumps. 2,500,000 gallons.
Average daily consumption, 1,243,512.
Cost of production for 1,000 gallons, .049.
Population of municipality, 9,835.

Gross earnings:		
From sale of water	$3,462 92	
By meter	22,872 79	
By contract	....	
From sale of meters	....	
From permits tapping mains	....	
From other sourcs	....	
Total income		$26,335 71
Less operating expenses		21,513 44
Surplus for year		$4,822 27

Operating expenses:		
Salaries of officers, superintendents clerks, etc.	$1,126 00	
Office supplies and expenses	467 98	
Insurance	....	
Legal expenses and damages	....	
Other expenses	....	
Wages	1,860 00	
Supplies—Fuel	5,514 47	
Pumping station supplies	1,062 25	
Filtration supplies	....	
Other supplies	28 47	
For repairs and renewals	303 38	
Interest on bonds or loans and S. F.	3,423 39	11,150 89
Total cost of production		$21,573 44

Capital Expenditure.

Reservoirs, lands, wells, buildings	$193,800 23	
Cost of mains and services	11,613 70	
Cost of hydrants and meters	1,775 10	
Other assets	365 00	
Total assets		$207,554 03
Debentures current	$192,000 00	
Bank over draft	1,343 69	
Municipal over draft	1,111 39	
Total liabilities		$194,455 08
Sinking fund		36,568 78
Net debt		$157,886 30

WATER WORKS, MUNICIPALITY OF BERLIN.

Plant installed, 1888.
Gravity or pumping system. Pumping.
Number of gallons pumped per year, 311,548,000.
Total daily capacity of pumps, 2,000,000.
Average daily consumption, 853,000 gals.
Cost of production for 1,000 gallons, .067.
Population of municipality, 13,407.

Capital Expenditure.

Reservoirs Cost of mains Cost of service pipes Cost of hydrants Cost of real estate and buildings	$220.444 23
Total assets	$220,444 23
Debentures or bonds current	$99,016 90
Due to bank	2,350 00
	$101,366 90

Gross earnings:		
From sale of water by meter	$17,318 51	
By contract	4,129 70	
From rent	1,743 45	
From hydrants	6,265 00	
From other sources	1,877 03	
Total income		$31,333 69
Less operating expenses		20,768 99
Surplus for year		$10,564 70

Operating expenses:		
Salaries of officers, superintendents, clerks, etc.	$1,880 00	
Office supplies and expenses	541 55	
Insurance	30 00	
Legal expenses and damages	51 91	
Other expenses	....	
Wages	2,435 48	
		$4,938 94
Supplies—Fuel	$5,637 58	
Pumping station supplies	459 81	
Filtration supplies	....	
Other supplies	442 05	
		6,539 44
For repairs and renewals		1,142 87
Interest on debentures and payment		8,147 74
Total cost of production		$20,768 99

WATER WORKS, MUNICIPALITY OF BRACEBRIDGE.

Plant installed, 1895.
Gravity or pumping system. Springs and gravity.
Number of gallons pumped per year, 30,660,000.
Total daily capacity of pumps, 86,000 gals.
Average daily consumption, 8,400,000.
Cost of production for 1,000 gallons, $0.075.
Population of municipality, 3,000.

Capital Expenditure.

Reservoirs	66,714 30
Cost of mains	
Cost of service pipes	
Cost of hydrants	
Cost of real estate and buildings	
Other assets	
Total assets	$66,714 30
Debentures or bonds current	$36,716 94
Total liabilities	$36,716 94

Gross earnings:		
From sale of water	$3,296 19	
By meter	....	
By contract	....	
From sale of meters	....	
From permits tapping mains	....	
From other sources	1,162 50	
Total income		$4,458 69
Less operating expenses		2,324 58
Surplus for year		$2,134 11

Operating expenses:	
Salaries of officers, superintendents, clerks, etc.	$480 00
Office supplies and expenses	42 00
Insurance	....
Legal expenses and damages	....
Other expenses	27 13
Wages	....
Supplies—Fuel	37 75
Pumping station supplies	88 86
Filtration supplies	....
Other supplies	....
For repairs and renewals	292 63
Interest on bonds or loans	1,356 21
Total cost of production	$2,324 58

WATER WORKS, MUNICIPALITY OF BRAMPTON.

Plant installed, 1881.
Gravity or pumping system. Gravity.
Number of gallons pumped per year. No record.
Total daily capacity of pumps. No record.
Average daily consumption. No record.
Cost of production of 1,000 gallons. No record.
Population of municipality, 3,260.

Capital Expenditure.

Reservoirs	94,491 91
Cost of mains	
Cost of service pipes	
Cost of hydrants	
Cost of real estate and building	
Other assets	
Total assets	$94,491 91
Debentures current	$74,000 00
Bank over draft	....
Municipal over draft	....
Total liabilities	$74,000 00

Gross earnings:	
From sale of water	$5,122 00
By meter	
By contract	
From sale of meters	
From permits tapping mains	
From other sources	
Total income	$5,122 00
Less operating expenses	....
Surplus or deficiency for year	....
Operating expenses:	
Salaries of officers, superintendents, clerks, etc.	No data furnished
Office supplies and expenses	
Insurance	
Legal expenses and damages	
Other expenses	
Wages	
Supplies—Fuel	
Pumping station supplies	
Filtration supplies	
Other supplies	
For repairs and renewals	....
Interest on bonds or loans	....
Total cost of production	....

WATER WORKS, MUNICIPALITY OF BARRIE.

Plant installed, 1890.
Gravity or pumping system. Pumping.
Number of gallons pumped during year, 71,177,700.
Total daily capacity of pumps, 2,000,000.
Average daily consumption, 195,000 gals.
Cost of production for 1,000 gallons, $0.17.
Population of municipality, 7,000.

Capital Expenditure.

Reservoirs	$263 77	
Cost of mains Cost of service pipes	$120,358 68	
Cost of hydrants	....	
Cost of real estate and buildings	....	
Other assets	3,952 33	
Total assets		$124,584 78
Debentures or bonds current		$91,114 94
Other liabilities		196 60
Municipal over draft		....
Total liabilities		$91,311 54

Gross earnings:

Interest on deposit	$80 40	
Hydrants rental	3,375 00	
From sale of water By meter	9,664 74	
By contract	....	
From sale of meters and rentals	35 74	
From permits tapping mains	233 85	
From other sources	204 62	
Total income		$13,594 35
Less operating expenses		11,829 62
Surplus for year		$1,764 73

Operating expenses:

Salaries of officers, superintendents, clerks, etc.	$1,848 66	
Office supplies and expenses	34 50	
Insurance	59 52	
Other expenses, new boiler house, etc., $1,398 54	2,172 04	
Wages	62 63	
		$4,177 35
Supplies—Fuel	$1,173 82	
Pumping station supplies	25 90	
Filtration supplies	....	
Other supplies	90 14	
		1,289 86
For repairs and renewals	....	
Debentures, retired	$2,997 50	
Interest thereon	3,364 91	
		6,362 41
Total cost of production		$11,829 62

WATER WORKS, MUNICIPALITY OF BRANTFORD.

Plant installed, 1888, 1889.
Gravity or pumping system. Pumping.
Number of gallons pumped per year, 788,697,526.
Total daily capacity of pumps, 30,000,000.
Average daily consumption, 2,160,000.
Cost of production for 1,000 gallons, .04.15.
Population of municipality, 21,000.

Gross earnings:

From sale of water		....
By meter		$50,071 96
By contract		....
From sale of meters		....
From permits tapping mains		262 47
From other sources, rents		778 69
Total income		$51,113 12
Less operating expenses		32,786 84
Surplus for year		$18,326 28

Operating expenses:

Salaries of officers, superintendents, clerks, etc.	$6,514 82	
Office supplies and expenses	156 26	
Insurance	147 30	
Legal expenses and damages	....	
Other expenses	279 60	
Wages	....	
Supplies—Fuel	4,809 00	
Pumping station supplies	228 51	
Filtration supplies	....	
Other supplies	....	
For repairs and renewals	2,610 03	
Interest on bonds or loans	18,041 32	
Total cost of production		$32,786 84

Capital Expenditure.

Reservoirs Cost of mains Cost of service pipes Cost of hydrants	$391,571 73
Cost of real estate and buildings	51,000 00
Other assets	25,105 65
Total assets	$467,677 38
Debentures or bonds current	$445,000 00
Due City of Brantford	9,599 90
Reserve accounts	13,000 00
Sundry accounts	77 48
Total liabilities	$467,677 38

Water Works, Municipality of Bridgeburg.

Plant installed, 1903.
Gravity or pumping system. Pumping.
Number of gallons pumped per year, 250,000 gallons.
Total daily capacity of pumps. No record.
Average daily consumption. No record.
Cost of production for 1,000 gallons.
Population of municipality, 1,600.

Gross earnings:	
From sales of water	....
From sale of meters	....
By contract	$1,500 00
By meter	....
From sale of meters	....
From permits tapping mains	....
From other sources	2,541 78
Total income	$4,041 78
Less operating expenses	4,593 54
Deficiency for year	551 76

Operating expenses:		
Salaries of officers, superintendents, clerks, etc.	$125 00	
Office supplies and expenses	....	
Insurance	69 85	
Legal expenses and damages	....	
Other expenses	69 73	
Wages	1,267 50	
Supplies—Fuel	597 90	
Pumping station supplies	....	
Other supplies	286 46	
Filtration supplies	50 46	
		2,466 90
For repairs and renewals		....
Interest on bonds, $53,666.24—4 per cent.		2,126 64
Total cost of production		$4,593 54

Capital Expenditure.

Reservoirs	$4,898 23	
Cost of mains	21,019 43	
Cost of service pipes	6,050 93	
Cost of hydrants	1,637 13	
Cost of real estate and buildings	5,096 29	
Other assets	10,227 38	
Total assets		$48,929 39
Debentures current		$53,666 24
Total liabilities		$53,666 24

Water Works, Municipality of Brockville.

Plant installed, 1882.
Gravity or pumping system. Pumping.
Number of gallons pumped per year, 907,476,339 gals.
Total daily capacity of pumps, 7,000,000 gals.
Average daily consumption, 2,486,000 gals.
Cost of production for 1,000 gallons, .03.5.
Population of municipality, 9,500, estimated.

Gross earnings:	
From sale of water	$29,022 63
By meter	
By contract	
From sale of meters	
From permits tapping mains	
From other sources	2,823 27
Total income	$31,845 90
Less operating expenses	31,651 08
Surplus for year	$194 82

Operating expenses:		
Salaries of officers, superintendents, clerks, etc.	$1,433 40	
Office supplies and expenses	567 01	
Insurance	251 50	
Legal expenses and damages	....	
Other expenses	726 90	
Wages	3,110 16	
		$6,088 97
Supplies—Fuel	3,757 61	
Pumping station supplies	678 92	
		4,436 53
Filtration supplies:		
Depreciation	$3,199 21	
For repairs and renewals	653 43	
Interest on bonds or loans	9,252 76	
Fixed charges	8,020 18	
		21,125 58
Total cost of production		$31,651 08

Capital Expenditure.

Reservoirs	$148,370 87
Cost of land	4,336 45
Cost of mains	41,203 87
Cost of service pipes	11,492 81
Cost of pumping equipment	22,700 88
Cost of buildings	22,442 13
Other assets	20,053 79
Total assets	$270,600 80
Debentures or bonds current	$157,761 44
Bank over draft	....
Other liabilities	375 00
Total liabilities	$158,136 44
Less sinking fund	65,197 12
Net liabilities	$92,939 32

WATER WORKS, MUNICIPALITY OF CHATHAM.

Plant installed, 1890.
Gravity or pumping system. Pumping.
Number of gallons pumped during 1908, 315,162,463 gallons.
Total daily capacity of pumps, 4,686,000 gals.
Average daily consumption, 863,450 gals.
Cost of production for 1,000 gallons, .051.
Population of municipality, 10,228.

Capital Expenditure.

To 31st March, 1907	$203,816 50
Reservoirs	....
Cost of mains, add'l cost 1908	1;566 16
Cost of service pipes, add'l cost 1908	985 43
Cost of hydrants	....
Cost of real estate and buildings	
Other assets	18,855 63
Total assets	$225,223 72
Debentures current	$123,976 16
Due to municipality	43,394 22
Total liabilities	$167,370 38

Gross earnings:	
From sale of water	....
By meter	$17,555 25
By contract	331 45
From sale of meters	....
From permits tapping mains	......
From other sources	7,169 94
Total income	$25,056 64
Less operating expenses	16,251 51
Surplus for year	$8,805 13

Operating expenses:		
Salaries of officers, superintendents, clerks, etc.	$1,602 25	
Office supplies and expenses	55 92	
Insurance	84 00	
Legal expenses and damages	10 00	
Other expenses	122 43	
Wages	2,942 53	
		$4,817 13
Supplies—Fuel	$4,433 80	
Pumping station supplies	506 77	
Filtration supplies	640 69	
Other supplies	28 65	
		5,609 91
		$10,427 04
For repairs and renewals		1,537 03
Interest on debentures		4,287 44
Total cost of production		$16,251 51

WATER WORKS, MUNICIPALITY OF COLLINGWOOD.

Plant installed.
Gravity or pumping system. Pumping.
Number of gallons pumped per year, 244,045,000 gals.
Total daily capacity of pumps, 2,500,000 gals.
Average daily consumption, 668,000 gals.
Cost of production for 1,000 gallons, .043.
Population of municipality, 7,708.

Gross earnings:		
From sale of water...... By meter... By contract.	$9,992 17	
From hydrant rental and public service	4,070 00	
From permits tapping mains	....	
		$14,062 17
From other sources		....
Total income		....
Less operating expenses		10,523 16
Surplus for year		$3,539 01

Operating expenses:		
Salaries of officers, superintendents, clerks, etc.	$800 00	
Office supplies and expenses	131 35	
Insurance	398 60	
Legal expenses and damages	....	
Other expenses	375 36	
Wages	1,200 00	
Supplies—Fuel	2,413 38	
Pumping station supplies	295 54	
Other supplies	154 55	
For repairs and renewals	27 35	
		$5,894 72
Interest on debentures		4,628 44
Total cost of production		$10,523 16

Capital Expenditure.

Pumps and equipment	$14,596 00
Cost of mains	57,731 13
Cost of service pipes	10.875 36
Cost intake and well	10,000 00
Cost of hydrants	3,580 85
Cost of real estate and buildings	5,250 00
Other assets	....
Total assets	$102,033 34
Debentures or bonds current	$53,936 52
Total liabilities	$53,936 52

WATER WORKS, MUNICIPALITY OF CORNWALL.

Plant installed, 1887.
Gravity or pumping system. Pumping.
Number of gallons pumped per year, 300,000,000.
Total daily capacity of pumps, 3,000,000 gals.
Average daily consumption, 822,000 gals.
Cost of production for 1,000 gallons, .026.
Population of municipality, 6,000.

Gross earnings:

From sale of water	$12,086 64
By meter	
By contract	
From sale of meters	
From permits tapping mains	
From other sources	

Total income	$12,086 64
Less operating expenses	7,926 00
Surplus for year	$4,160 64

Operating expenses:

Salaries of officers, superintendents, clerks, etc.	$2,280 00	
Office supplies and expenses	27 20	
Insurance	26 66	
Legal expenses and damages	....	
Other expenses	152 00	
Wages	345 50	
Supplies—Fuel	471 17	
Pumping station supplies	90 18	
Filtration supplies	....	
Other supplies	404 80	
For repairs and renewals		....
		$3.797 51
Interest on bonds or loans		4,128 49
Total cost of production		$7,926 00

Capital Expenditure.

Reservoirs	$141,358 52
Cost of mains	
Cost of service pipes	
Cost of hydrants	
Cost of real estate and buildings	
Other assets	

Total assets	$141,358 52
Debentures or bonds current	$110,642 99
Total liabilities	$110,642 99

WATER WORKS, MUNICIPALITY OF CREEMORE.

Plant installed, 1905.
Gravity or pumping system. Pumping.
Number of gallons pumped per year. None
Total daily capacity of pumps. None.
Average daily consumption. None.
Cost of production for 1,000 gallons. None.
Population of municipality, 675.

Capital Expenditure.

Reservoirs	$22,000 00
Cost of mains	
Cost of service pipes	
Cost of hydrants	
Cost of real estate and buildings	
Other assets	

Total assets	$22,000 00
Debentures or bonds current	$33,060 25
Total liabilities	$33,060 25

Gross earnings:

From sale of water	$482 40
By meter	
By contract	
From sale of meters	
From permits tapping mains	
From other sources	

Total income	$482 40
Less operating expenses	1,270 85
Deficiency for year	$788 45

Operating expenses:

Salaries of officers, superintendents, clerks, etc.	....
Office supplies and expenses	....
Insurance	....
Legal expenses and damages	....
Other expenses	....
Wages	....
Supplies—Fuel	....
Pumping station supplies	....
Filtration supplies	....
Other supplies	$30 85
For repairs and renewals	....
Interest on debentures	1,240 00
Total cost of production	$1,270 85

The water rates are applied to general municipal purposes, and the expenses of operation and the interest on debentures is borne out of general funds.

WATER WORKS, MUNICIPALITY OF DUNDAS.

Plant installed, 1884.
Gravity system. Gravity.
Number of gallons pumped per year. No record.
Meter service, 9,784,285.
Total daily capacity of pumps.
Average daily consumption.
Cost of production for 1,000 gallons.
Population of municipality, 3,947.

Gross earnings:		
From sale of water		
By meter	$1,344 82	
By contract	1,042 22	
From sale of meters		....
From permits tapping mains		....
From other sources		....
		$2,387 04
Total income		$2,387 04
Less operating expenses		3,801 55
Deficiency for year		$1,414 51
Operating expenses:		
Salaries of officers, superintendents clerks, etc.	$316 00	
Office supplies and expenses	....	
Insurance	....	
Legal expenses and damages	64 00	
Other expenses	41 35	
Wages	87 90	
		$509 25
Supplies—Fuel	....	
Pumping station supplies	$808 50	
Flow of water from Cockburn's dam	40 47	
		848 97
Filtration supplies	....	
Other supplies	....	
For repairs and renewals	$186 73	
Interest on bonds or loans	2,256 60	
		2,443 33
Total cost of production.		$3,801 55

Capital Expenditure.

Distributing reservoirs and tanks	....
Cost of mains	$37,161 06
Cost of conduit pipes	5,270 00
Cost of hydrants and meters	2,283 00
Cost of real estate and buildings	1,884 77
Storage construction	5,300 00
Filter and beds	3,215 23
Other items	3,608 92
Total assets	$58,722 98
Debentures current	$46,637 33
Total liabilities	$46,637 33

WATER WORKS, MUNICIPALITY OF ESSEX.

Plant installed, 1891.
Gravity or pumping system. Pumping.
Number of gallons pumped per year, 25,000,000.
Total daily capacity of pumps, 168,000 gals.
Average daily consumption, 68,000 gals.
Cost of production for 1,000 gallons, 14c.
Population of municipality, 1,300.

Gross earnings:		
From sale of water		$2,135 35
By meter		
By contract		
From sale of meters		
From permits tapping mains		
From other sources		
Total income		$2,135 35
Less operating expenses		3,417 48
Deficiency for year		$1,282 13
Operating expenses:		
Salaries of officers, superintendents, clerks, etc.	....	—- ——
Office supplies and expenses	....	
Insurance	....	
Legal expenses and damages	....	
Other expenses	....	
Wages	$695 00	
Supplies—Fuel	934 75	
Pumping station supplies	216 70	
Filtration supplies		
Other supplies	....	
		1,846 45
For repairs and renewals	498 89	
Interest on debentures	1,072 14	
		1,571 03
Total cost of production.		$3,417 48

Capital Expenditure.

Reservoirs	$33,000 00
Cost of mains	
Cost of service pipes	
Cost of hydrants	
Cost of real estate and buildings	
Other assets	
Total assets	....
Bank overdraft	....
Municipal over draft	....
Debentures current	$20,835 14
Total liabilities	$20,835 14

WATER WORKS, MUNICIPALITY OF EXETER.

Plant installed. Being installed.
Gravity or pumping system. Pumping.
Number of gallons pumped per year. Being installed.
Total daily capacity of pumps. For fire purposes only.
Average daily consumption. No revenue derived from.
Cost of production for 1,000 gallons. Plant expenditure borne out of general funds of municipality.
Population of municipality.

WATER WORKS, MUNICIPALITY OF FORT FRANCES.

Plant installed, 1907-1908.
Gravity or pumping system. Pumping.
Number of gallons pumped per year, 14,116,500.
Total daily capacity of pumps. Not given.
Average daily consumption, 38,675.
Cost of production for 1,000 gallons, .33.
Population of municipality, 1,650.

Gross earnings:	
From sale of water	....
By meter	....
By contract	$1333 18
From sale of meters	....
From permits tapping mains	....
From other sources	900 00
Total income	$2,233 18
Less operating expenses	4,374 10
Deficiency for year	$2,140 92

Operating expenses:		
Salaries of officers, superintendents, clerks, etc.	$600 00	
Office supplies and expenses	....	
Insurance	....	
Legal expenses and damages	....	
Other expenses	....	
Wages	....	
Supplies—Fuel (gasoline)	569 09	
Pumping station supplies	294 16	
Filtration supplies	....	
Other supplies	....	
For repairs and renewals	....	
Interest on bonds	2,910 85	
Total cost of production.		$4,374 10

Capital Expenditure.

Reservoirs	$8,576 13
Cost of mains	21,627 48
Cost of service pipes	3,604 98
Cost of hydrants	2,814 70
Cost of real estate and buildings	8,234 21
Other assets	5,332 81
Total assets	$50,190 31
Debentures or bonds current	$43,500 00
Bank over draft	....
Municipal over draft	....
Total liabilities	$43,500 00

WATER WORKS, MUNICIPALITY OF GALT.

Plant installed, 1901.
Gravity or pumping system. Pumping.
Number of gallons pumped per year, 360,600,719.
Total daily capacity of pumps, 4,450,000.
Average daily consumption, 987,500 gals.
Cost of production for 1,000 gallons, 05.1.
Population of municipality, 9,149.

Gross earnings:		
From sale of water	....	
By meter and flat rate	$14,148 27	
By contract	700 00	
From sale of meter	....	
From fire protection and accrued interest	6,282 22	
From other sources	....	
Total income		$21,130 49
Less operating expenses		18,556 55
Surplus for year		$2,574 94

Operating expenses:		
Salaries of officers, superintendents, clerks, etc.	$1,449 60	
Office supplies and expenses	....	
Insurance	37 70	
Legal expenses and damages	4 82	
Other expenses	....	
Wages	1,146 50	
Supplies—Fuel	3,121 13	
Pumping station supplies	88 06	
Filtration supplies	....	
Other supplies	....	
For repairs and renewals	1,782 02	
Interest on bonds or loans	10,926 72	
Total cost of production.		$18,556 55

WATER WORKS, MUNICIPALITY OF GALT.—*Continued.*

Capital Expenditure.

Reservoirs, tanks, etc.	$18,724 00	
Cost of mains	158,795 93	
Cost of service pipes	....	
Cost of hydrants and meters	7,411 10	
Cost of real estate and buildings	7,780 00	
Other assets	7,617 56	
Total assets		$200,328 59

Debentures or bonds current	$182,313 84
Bank over draft	1,510 66
Municipal over draft	....
Total liabilities	$183,824 50
Sinking fund	66,440 63
Liabilities net	$117,383 87

WATER WORKS, MUNICIPALITY OF GEORGETOWN.

Plant installed, 1891-1892.
Gravity or pumping system. Gravity.
Number of gallons pumped per year. No records.
Total daily capacity of pumps. No records.
Average daily consumption. No records.
Cost of production for 1,000 gallons. No records.
Population of municipality, 1,525.
Gross earnings:

From sale of water	$2,568 87
By meter	
By contract	
From sale of meters	
From permits tapping mains	
From other sources	
Total income	$2,568 87
Less operating expenses	$1,965 00
Surplus for year	$603 87

Operating expenses:

Salaries of officers, superintendents, clerks, etc.	$100 00	
Office supplies and expenses	....	
Insurance	....	
Legal expenses and damages	....	
Other expenses	25 00	
Wages	....	
Supplies—Fuel	....	
Pumping station supplies	....	
Filtration supplies	....	
Other supplies	....	
For repairs and renewals	25 00	
Interest on debentures	1,815 00	
		$1,965 00
Total cost of production.		$1,965 00

Capital Expenditure.

Reservoirs	$41,770 00 930 00
Cost of mains	
Cost of service pipes	
Cost of hydrants	
Cost of real estate and buildings	
Other assets	
Total assets	$42,700 00
Debentures current	$35,500 00
Mortgage on property	400 00
Total liabilities	$35,900 00

WATER WORKS, MUNICIPALITY OF GUELPH.

Plant installed, 1879-1880.
Pumping system.
Number of gallons pumped per year, 358,814,800 gals.
Total daily capacity of pumps, 4,500,000.
Average daily consumption, 983,055.
Cost of production for 1,000 gallons, .05.
Population of municipality, 14,000, approximately.

Capital Expenditure.

Reservoirs	
Cost of mains	
Cost of service pipes	
Cost of hydrants	
Cost of real estate and buildings	
Other assets	
Total assets	$173,948 90

Debentures or bonds current	$125,000 00
Bank over draft	....
Municipal over draft	....
Total liabilities	$125,000 00

(Operated by Commission.)

Gross earnings:

From sale of water per meter	$3,273 58	
By contract	25,576 24	
From sale of meters	....	
From permits tapping mains	....	
From other sources	1,668 13	
Total income		$30,517 95
Less operating expenses		18,076 15
Surplus for year		$12,441 80

WATER WORKS, MUNICIPALITY OF GUELPH.—*Continued.*

Operating expenses:		
Salaries of officers, superintendents, clerks, etc.	$1,003 25	
Office supplies and expenses	252 00	
Insurance	26 25	
Legal expenses and damages	....	
Other expenses ..	....	
Wages	3,089 83	
		$4,371 33

Supplies—Fuel	4,463 26	
Pumping station supplies	27 42	
Filtration supplies	....	
Other supplies ...	141 10	
For repairs and renewals	375 50	
		5,007 38
Interest on debentures		8,697 44
Total cost of production.		$18,076 15

WATER WORKS, MUNICIPALITY OF HAMILTON.

Plant installed, 1857.

Gravity or pumping system. Pumping and gravity.

Number of gallons pumped per year, 2,462,644,050.

Total daily capacity of pumps 13,000,000.

Average daily consumption, 6,747,000.

Cost of production for 1,000 gallons, .052.

Population of municipality, 66,947.

Capital Expenditure.

Reservoirs	$2,337,989
Cost of mains	
Cost of service pipes	
Cost of hydrants	
Cost of real estate and buildings	
Other assets	
Total assets	$2,337,989 00
Debentures or bonds current.	$1,349,300 95
Sinking fund	265,647 00
Total liabilities *net*...	$1,083,653 95

Gross earnings:	
From sale of water.........	$244,932 82
By meter	
By contract	
From sale of meters	
From permits tapping mains	
From other sources	

Total income	$244,932 82
Less operating expenses	128,289 00
Surplus for year	$116,643 82

Operating expenses:		
Salaries of officers, superintendents, clerks, etc.	$6,634 16	
Office supplies and expenses	894 82	
Insurance	245 41	
Legal expenses and damages	....	
Other expenses ..	405 60	
Wages	22,251 83	
		$30,431 82
Supplies—Fuel	$16,849 00	
Pumping station supplies	2,015 02	
Filtration supplies	45 51	
Other supplies ...	1,195 95	
		$20,105 48
For repairs and renewals		1,422 40
Interest on debentures		76,329 30
Total cost of production.		$128,289 00

WATER WORKS, MUNICIPALITY OF HANOVER.

Plant installed, 1901.

Pumping system.

Number of gallons pumped per year. No records.

Total daily capacity of pumps. No records.

Average daily consumption. No records.

Cost of production for 1,000 gallons. No records.

Population of municipality, 2,400.

Gross earnings:	
From sale of water.........	$944 45
By meter	
By contract	
From sale of meters	
From permits tapping mains	
From other sources	
Total income	$944 45
Less operating expenses	2,438 90
Deficiency for year	$1,494 45

WATER WORKS, MUNICIPALITY OF HANOVER.—*Continued.*

Operating expenses:		
Salaries of officers, superintendents, clerks, etc.	....	
Office supplies and expenses	....	
Insurance	$74 95	
Legal expenses and and damages	....	
Rent power	375 00	
Other expenses	487 05	
Wages	457 50	
		$1,394 50
Supplies—Fuel	....	
Pumping station supplies	$162 67	
Filtration supplies	....	
Other supplies	....	
For repairs and renewals	881 73	
		1,044 40
Interest on debentures		....
Total cost of production		$2,438 90

Capital Expenditure.

Reservoirs Cost of mains Cost of service pipes Cost of hydrants Cost of real estate and buildings Other assets	$29,500 00
Total assets	$29,500 00
Debentures current	$21,495 33
Total liabilities	$21,495 33

WATER WORKS, MUNICIPALITY OF HAWKESBURY.

Plant installed, 1904.
Gravity or pumping system. Pumping.
Number of gallons pumped per year. No records.
Total daily capacity of pumps, 1,000,000.
Average daily consumption. No records.
Cost of production for 1,000 gallons. No records.
Population of municipality, 4,500.

Gross earnings:		
From sale of water	$3,888 93	
By meter	....	
By contract	....	
From sale of meters	....	
From permits tapping mains	42 40	
From other sources	....	
Total income		$3,931 33
Less operating expenses		3,389 58
Surplus for year		$541 75

Operating expenses:		
Engineer	$780 00	
Salaries of officers, superintendents, clerks, etc.	900 00	
Office supplies and expenses	....	
Insurance	....	
Legal expenses and damages	....	
Other expenses	344 27	
Wages	....	
Supplies—Fuel	798 12	
Pumping station supplies	112 66	
Filtration supplies	....	
Other supplies	100 97	
For repairs and renewals	353 56	
Interest on bonds or loans	....	
Total cost of production		$3,389 58

Capital Expenditure.

Reservoirs Cost of mains Cost of service pipes Cost of hydrants Cost of real estate and buildings Other assets	$160,945 67
Total assets	$160,945 67

WATER WORKS, MUNICIPALITY OF IROQUOIS.

Plant installed, 1898.
Gravity or pumping system. Pumping.
Number of gallons pumped per year. No record.
Total daily capacity of pumps, 468,000 gals.
Average daily consumption. No records.
Cost of production for 1,000 gallons. No records.
Population of municipality, 900.

Gross earnings:	
From sale of water By meter By contract From sale of meters From permits tapping mains. From other sources	$1,313 30
Total income	$1,313 30
Less operating expenses	1,673 38

WATER WORKS, MUNICIPALITY OF IROQUOIS.—*Continued.*

Deficiency		$360 08
Operating expenses:		
Salaries of officers, superintendents, clerks, etc.	$430 00	
Office supplies and expenses, water rent	57 75	
Insurance	....	
Legal expenses and damages	....	
Other expenses	154 20	
Wages	38 68	
Supplies—Fuel	60 11	
Pumping station supplies	....	
Filtration supplies	....	
Other supplies	102 84	
		$843 58

Interest on debentures, $20,745.05	829 80
Total cost of production.	$1,673 38

Capital Expenditure.

Reservoirs	$40,099 87
Cost of mains	
Cost of service pipes	
Cost of hydrants	
Cost of real estate and buildings	
Other assets	
Total assets	$40,099 87
Debentures or bonds current.	$20,745 05
Bank over draft	....
Municipal over draft	....
Total liabilities	$20,745 $5

WATER WORKS, MUNICIPALITY OF KENORA.

Plant installed, 1898-1899.
Gravity or pumping system. Pumping.
Number of gallons pumped per year, 135,000,000.
Total daily capacity of pumps, 4,500,000 gals.
Average daily consumption. No record.
Cost of production for 1,000 gallons. No record.
Population of municipality, 7,000.

Gross earnings:

From sale of water	$20,642 61
By meter	
By contract	
From sale of meters	
From permits tapping mains	
From other sources	
Total income	$20,642 61
Less operating expenses	17,782 53
Surplus or deficiency for year.	$2,860 08

Operating expenses:

Salaries of officers, superintendents, clerks, etc.	$9,406 03
Office supplies and expenses	
Insurance	
Legal expenses and damages	
Other expenses	
Wages	
Supplies—Fuel	
Pumping station supplies	
Filtration supplies	
For repairs and renewals	8,376 50
Interest on bonds or loans	....
Total cost of production.	$17,782 53

Capital Expenditure.

Reservoirs	$192,199 40
Cost of mains	
Cost of service pipes	
Cost of hydrants	
Cost of real estate and buildings	
Other assets	
Total assets	$192,199 40

Liabilities:

Debentures current	$163,454 30

WATER WORKS, MUNICIPALITY OF KINCARDINE.

Plant installed, 1899.
Gravity or pumping system. Pumping.
Number of gallons pumped per year, 180,000,000.
Total daily capacity of pumps, 1,152,000.
Average daily consumption.
Cost of production for 1,000 gallons, $0.01.1.
Population of municipality, 2,721.

Gross earnings:

From sale of water	....
By meter	$188 08
By contract	2,491 72
From sale of meters	....
From permits tapping mains	233 50

Water Works, Municipality of Kincardine.—*Continued.*

From other sources—town service .	2,470 00	..
Total income.		$5,383 30
Less operating expenses......		2,986 31
Surplus for year		$2,396 99

Operating expenses:

Salaries of officers, superintendents, clerks, etc.	$551 33	
Office supplies and expenses	....	
Insurance	46 20	
Legal expenses and damages	....	
Other expenses...	15 19	
Wages	....	
		$612 72
Supplies—Fuel	$834 03	
Pumping station supplies	....	
Filtration supplies	....	
Other supplies....	38 19	
		$872 22

For repairs and renewals	140 67	
Interest on bonds or loans	1,360 70	
		1,501 37
Total cost of production.		$2,986 31

Capital Expenditure.

Reservoirs .... Cost of mains .... Cost of service pipes .... Cost of hydrants .... Cost of real estate and buildings	$45,738 39
Other assets	597 86
Total assets	$45,736 25
Debentures current	$29,136 97
Bank over draft	1,305 92
Municipal over draft	85 48
Total liabilities	$30,528 37

Water Works, Municipality of Kingsville.

Plant installed, 1894.

Gravity or pumping system. Pumping.

Number of gallons pumped per year. No record.

Total daily capacity of pumps. No record.

Average daily consumption. No record.

Cost of production for 1,000 gallons. No record.

Population of municipality, 1,771.

Gross earnings:

From sale of water	$180 00	
By meter	....	
By contract	1,734 07	
		$1,914 07
From sale of meters.......		....
From permits tapping mains		....
From other sources		....
Total income		$1,914 07
Less operating expenses		2,576 93
Deficiency for year		$662 86

Operating expenses:

Salaries of officers, superintendents, clerks, etc.	....	
Office supplies and expenses	....	
Insurance	$40 00	
Legal expenses and damages	....	
Other expenses ...	....	
Wages	600 00	
		$640 00
Supplies—Fuel		634 73
Pumping station supplies....		105 86
Filtration supplies		....
Other supplies		....
For repairs and renewals		207 02
Interest on bonds or loans...		989 32
Total cost of production.		$2,576 93

Capital Expenditure.

Reservoirs .... Cost of mains .... Cost of service pipes .... Cost of hydrants .... Cost of real estate and buildings...................... Other assets	$30,000 00
Total assets	$30,000 00
Debentures or bonds current . .	$20,794 25
Bank over draft	....
Municipal over draft	....
Total liabilities	$20,794 25

WATER WORKS, MUNICIPALITY OF KINGSTON.

Plant installed, 1850.
Gravity or pumping system. Pumping.
Number of gallons pumped per year, 860,010,825.
Total daily capacity of pumps, 7,000,000 gals.
Average daily consumption, 2,356,000 gals.
Cost of production for 1,000 gallons, .02.6.
Population of municipality, 19,200.

Gross earnings:		
From sale of water	$3,994 46	
By meter	32,280 59	
By contract	....	
From sale of meters		
From permits tapping mains	....	
From other sources	1,195 61	
Total income		$37,470 66
Less operating expenses		22,281 82
Surplus for year		$15,188 84

Operating expenses:		
Salaries of officers, superintendents, clerks, etc.	$4,575 00	
Office supplies and expenses	442 15	
Insurance	....	
Legal expenses and damages	419 80	
Other expenses	215 34	
Wages	1,589 09	
		$7,241 38
Supplies—Fuel	$3,816 62	
Pumping station supplies	415 96	
Filtration supplies	....	
Other supplies	114 01	
		4,346 59
For repairs and renewals	$778 85	
Interest on bonds or loans	9,915 00	
		10,693 85
Total cost of production.		$22,281 82

Capital Expenditure.

Engines and boilers	$18,470 15	
Reservoirs	13,000 00	
Suction pipe	12,976 08	
Cost of mains Cost of service pipes Cost of hydrants	220.571 94	
Water meters	1,425 80	
Cost of real estate and buildings	25,782 29	
....	8,536 29	
Other assets	23,689 77	
Total assets		$324,452 32
Debentures current		$216,000 00
Other liabilities		50 48
Total liabilities		$216,050 48

WATER WORKS, MUNICIPALITY OF LINDSAY.

Plant installed, 1892.
Gravity or pumping system. Pumping and gravity.
Number of gallons pumped per year, 158,611,950 gals.
Total daily capacity of pumps, 3,000,000 gals.
Average daily consumption, 434,500 gals.
Cost of production for 1,000 gallons, .05.66.
Population of municipality, 8,000.

Gross earnings:		
From sale of water	$6,262 05	
By meter	3,579 76	
By contract	....	
From hydrants rental	3,290 00	
From permits tapping mains	....	
From other sources	661 82	
Total income		$13,793 63
Less operating expenses		8,992 31
Surplus for year		$4,801 32

Operating expenses:		
Salaries of officers, superintendents, clerks, etc.	$2,562 00	
Office supplies and expenses	210 95	
Insurance	40 00	
Legal expenses and damages	....	
Other expenses	....	
Wages	....	
		$2,812 95
Supplies—Fuel	$2,127 59	
Pumping station supplies	....	
Filtration supplies	....	
Other supplies	853 58	
		2,981 17
For repairs and renewals		....
Interest on debentures		3,198 19
Total cost of production.		$8,992 31

Capital Expenditure.

Reservoirs Cost of mains Cost of service pipes Cost of hydrants Cost of real estate and buildings	$97,534 23
Other assets	3,963 70
Total assets	$101,497 93
Debentures current	$84,111 26
Interest accrued	1,312 50
Bank over draft	1,274 33
Other debts	50 14
Total liabilities	$86,748 23

Water Works, Municipality of City of London.

Plant installed, 1878.
Gravity or pumping system. Gravity and pumping.
Number of gallons pumped year 1908, 1,389,520,295.
Total daily capacity of pumps, 9,000,000 gals.
Average daily consumption, 3,807,000 gals.
Cost of production for 1,000 gallons, .04.16.
Population of municipality, 49,431.

Gross earnings:		
From sale of water		$103,289 36
By meter		
By contract		
From sale of meters		
From permits tapping mains		
From other sources		6,189 23
Total income		$109,478 59
Less operating expenses		65,038 15
Surplus for year		$44,440 44

Operating expenses:		
Salaries of officers, superintendents, clerks, etc.	$6,133 00	
Office supplies and expenses	1,015 56	
Insurance	491 29	
Legal expenses and damages	29 43	
Other expenses	3,677 45	
Wages	17,430 63	
		$28,777 36
Supplies—Fuel	$5,275 07	
Pumping station supplies	1,798 70	
Filtration supplies	....	
Other supplies	1,519 59	
		$8,593 36
For repairs and renewals	1,414 93	
Discount on debenture issue	2,337 50	
		3,752 43
		$41,123 15
Interest on debentures current, less S. fund, at 4 per cent., estimated		23,915 00
		$65,038 15

Capital Expenditure.

Reservoirs	$812,479 96
Cost of mains	
Cost of service pipes	
Cost of hydrants	
Cost of real estate and buildings	89,058 02
Other assets	41,210 07
Total assets	$942,748 05
Debentures current	$869,878 94
Sinking fund accumulations	272,003 76
	$597,875 18
Municipal over draft	27,609 36
Other liabilities	4,895 10
Net liabilities	$630,379 64

Water Works, Municipality of Listowel.

Plant installed, 1903-1904.
Gravity or pumping system. Pumping.
Number of gallons pumped per year, 36,500,000.
Total daily capacity of pumps, 1,656,000.
Average daily consumption, 100,000 gals.
Cost of production for 1,000 gallons, .12.1.
Population of municipality, 2,800.

Gross earnings:		
From sale of water		
By meter	$1,719 61	
By contract	2,140 00	
From sale of meters		
From permits tapping mains	72 00	
From other sources		
Total income		$3,931 61
Less operating expenses		4,430 56
Deficit for year		$498 95

Operating expenses:		
Salaries of officers, superintendents, clerks, etc.	$607 50	
Office supplies and expenses	10 00	
Insurance	40 00	
Legal expenses and damages	....	
Other expenses	....	
Wages	....	
		$657 50
Supplies—Fuel	$940 37	
Pumping station supplies	279 67	
		1,220 04
Filtration supplies	....	
Other supplies	....	
For repairs and renewals	506 37	
Interest on debentures	2,046 65	
		2,553 02
Total cost of production		4,430 56

Capital Expenditure.

Reservoirs stand pipes and connections	$6,500 00

WATER WORKS, MUNICIPALITY OF LISTOWEL.—*Continued.*

Cost of mains	13,800 00
Cost of service pipes	385 00
Cost of hydrants	1,225 00
Cost of real estate and buildings	5,500 00
Other assets—wells, pumps, etc.	17,590 00
Total assets	$45,000 00
Debentures current	$34,666 53
Total liabilities	$34,666 53

WATER WORKS, MUNICIPALITY OF MARKHAM.

Plant installed, 1890.
Gravity or pumping system. Pumping.
Number of gallons pumped per year. No record.
Total daily capacity of pumps, 115,200.
Average daily consumption. Not given.
Cost of production for 1,000 gallons. No record.
Population of municipality.

Plant used for fire protection only and street watering. Cost of operation borne out of general funds.

Capital Expenditure.

Reservoirs	$11,000 00
Cost of mains	
Cost of service pipes	
Cost of hydrants	
Cost of real estate and buildings	
Other assets	
Total assets	$11,000 00
Debentures current	$10,000 00
Total liabilities	$10,000 00

Gross earnings:	
From sale of water	Not given.
By meter	
By contract	
From sale of meters	
From permits tapping mains	
From other sources	
Total income	....
Less operating expenses	....
Surplus or deficiency for year	....

Operating expenses:	
Salaries of officers, superintendents, clerks, etc.	Not given.
Office supplies and expenses	
Insurance	
Legal expenses and damages	
Other expenses	
Wages	
Supplies—Fuel	
Pumping station supplies	
Filtration supplies	
Other supplies	
For repairs and renewals	
Interest on bonds or loans	
Total cost of production	....

WATER WORKS, MUNICIPALITY OF MIDLAND.

Plant installed, 1901.
Gravity or pumping system. Pumping.
Number of gallons pumped per year. No records.
Total daily capacity of pumps, 2,880,000.
Average daily consumption. No records.
Cost of production for 1,000 gallons. Not given.
Population of municipality, 4,105.

Capital Expenditure.

Reservoirs	$3,360 56
Cost of mains Cost of service pipes	61,605 18
Cost of hydrants	....
Cost of real estate, $3,458.43, buildings $5,899.46	9,357 89
Other assets—plant $5,121.90, S. pipe $8,130.59	13,252 49
Total assets	$87,576 12
Debentures or bonds current	$66,816 32
Bank balance credit	469 27
Net debt	$66,347 05

Gross earnings:		
From sale of water	....	
By meter	$1,181 75	
By contract	6,842 58	
From sale of meters	....	
From permits tapping mains	....	
From other sources	206 99	
Total income		$8,231 32
Less operating expenses		6,471 33
Surplus for year		$1,759 99
Operating expenses:		
Salaries of officers, superintendents, clerks, etc.	$1,073 92	
Office supplies and expenses	153 89	
Insurance	123 29	
Legal expenses and damages	28 50	
Other expenses	....	
Wages	51 20	
		$1,430 80
Supplies—Fuel	$1,820 72	
Pumping station supplies and other	502 38	
		2,421 45
For repairs and renewals	$98 35	
Interest on bonds and loans		2,619 08
Total cost of production		$6,471 33

Water Works, Municipality of Merritton.

Plant installed, 1888.
Gravity or pumping system. Gravity.
Number of gallons pumped per year. No record.
Total daily capacity of pumps. No record.
Average daily consumption. No record.
Cost of production for 1,000 gallons.
Population of municipality, 1,617.

Capital Expenditure.

Reservoirs	$16,000 00	
Cost of mains	56,333 32	
Cost of service pipes	5,703 37	
Cost of hydrants	3,300 00	
Cost of real estate and buildings	500 00	
Other assets	4,331 80	
Total assets		$86,168 49
Debentures or bonds current		$30,920 78
Total liabilities		$30,920 78

Gross earnings:

From sale of water	....	
By meter	$1,568 65	
By contract	2,047 62	
From hydrant rental	920 00	
From permits tapping mains	....	
From balance 1907	59 98	
Total income		6,169 86
Less operating expenses		4,761 12
Surplus for year		$1,408 74

Operating expenses:

Salaries of officers, superintendents, clerks, etc.	$585 00	
Office supplies and expenses	32 50	
Insurance	....	
Legal expenses and damages	....	
Other expenses—rent	91 00	
Wages	284 57	
		993 07
Supplies—Fuel	....	
Pumping station supplies	....	
Filtration supplies	....	
Other supplies	73 43	
For repairs and renewals	694 62	
Interest on debentures	3,000 00	
		3,768 05
Total cost of production.		$4,761 12

Water Works, Municipality of Morrisburg.

Plant installed, 1887.
Gravity or pumping system. Pumping.
Number of gallons pumped per year. No record.
Total daily capacity of pumps. No record.
Average daily consumption. No record.
Cost of production for 1,000 gallons. No record.
Population of municipality, 1,700.

Capital Expenditure.

Reservoirs	$35,000 00
Cost of mains	
Cost of service pipes	
Cost of hydrants	
Cost of real estate and buildings	
Other assets	
Total assets	$35,000 00
Debentures or bonds current	$13,177 81
Total liabilities	$13,177 81

Gross earnings:

From sale of water	$2,892 13
By meter	
By contract	
From sale of meters	
From permits tapping mains	
From other sources	

Total income		$2,892 13
Less operating expenses		3,056 25
Deficiency for year		$164 12

Operating expenses:

Salaries of officers, superintendents, clerks, etc.	$400 00	
Office supplies and expenses	....	
Insurance	....	
Legal expenses and damages	....	
Other expenses	....	
Wages	465 44	
		$865 44
Supplies—Fuel	$143 67	
Pumping station supplies	....	
Filtration supplies, power, etc.	211 65	
Other supplies	224 19	
		579 51
For repairs and renewals		....
Interest on debentures		1,611 30
Total cost of production.		$3,056 25

WATER WORKS, MUNICIPALITY OF MT. FOREST.

Plant installed, 1898.
Gravity or pumping system. Pumping.
Number of gallons pumped per year, 44,000,000.
Total daily capacity of pumps, 648,000 gals.
Cost of production for 1,000 gallons.
Population of municipality, 2,300.

Gross earnings:

From sale of water	$3,778 75
By meter	
By contract	
From sale of meters	
From permits tapping mains	
From other sources	
Total income	$3,778 75
Less operating expenses	2,440 60
Surplus for year	$1,338 15

Operating expenses:

Salaries of officers, superintendents, clerks, etc.	$510 00	
Office supplies and expenses	....	
Insurance	....	
Legal expenses and damages	....	
Other expenses	155 00	
Wages	650 00	
Supplies—Fuel	....	
Pumping station supplies	....	
Filtration supplies	....	
Other supplies		
		$1,315 00
For repairs and renewals		....
Interest on bonds or loans, estimated		1,125 60
Total cost of production.		$2,440 60

Capital Expenditure.

Reservoirs	$34,500 00
Cost of mains	
Cost of service pipes	
Cost of hydrants	
Cost of real estate and buildings	
Other assets	
Total assets	$34,500 00
Debentures or bonds current	$28,140 07
Total liabilities	$28,140 07

WATER WORKS, MUNICIPALITY OF NEWMARKET.

Plant installed, 1887.
Gravity or pumping system. Gravity and pumping.
Number of gallons pumped per year. No record.
Total daily capacity of pumps, 2,880,000.
Average daily consumption. No record.
Cost of production for 1,000 gallons. No record.
Population of municipality, 3,159.

Gross earnings:

From sale of water	$2,649 60
By meter	
By contract	
From sale of meters	
From permits tapping mains.	
From other sources	
Total income	$2,649 60
Less operating expenses	2,216 59
Surplus for year	$433 01

Operating expenses:

Salaries of officers, superintendents, clerks, etc.	....	
Office supplies and expenses	$50 00	
Insurance	131 00	
Legal expenses and damages	90 00	
Other expenses	....	
Wages	600 00	
Supplies—Fuel	700 00	
		$1,571 00
Other supplies		140 00
Interest on debentures say 4 per cent.		505 59
Total cost of production.		$2,216 59

Capital Expenditure.

Reservoirs (distributing) and tanks.	$3,300 00	
Cost of wells	4,800 00	
Cost of mains	23,000 00	
Cost pumping equipment	4,250 00	
Cost of real estate and buildings	3,550 00	
Other assets	14,225 00	
Total assets		$53,125 00
Debentures or bonds current		$12,639 96
Municipal over draft		7,677 40
Total liabilities		$20,317 36

WATER WORKS, MUNICIPALITY OF NORTH BAY.

Plant installed, 1891.
Gravity or pumping system. Pumping.
Number of gallons pumped per year. No record.
Total daily capacity of pumps 2,500,000 gals.
Average daily consumption. No record.
Cost of production for 1,000 gallons. No record.
Population of municipality, 6,000.

Gross earnings:		
From sale of water		$15,381 84
By meter		
By contract		
From sale of meters		
From permits tapping mains	$1,300 00	
From other sources		
Total income		$16,681 84
Less operating expenses		14,080 29
Surplus for year		$2,601 55

Operating expenses:		
Salaries of officers, superintendents, clerks, etc.	$400 00	
Office supplies and expenses	100 00	
Insurance	175 00	
Legal expenses and damages	....	
Other expenses	....	
Wages	1,380 00	$2,055 00
Supplies—Fuel	3,500 00	
Pumping station supplies	....	
Filtration supplies	....	
Other supplies and maintenance	3,256 13	6,756 13
Debentures paid	$2,078 42	
Interest paid	3,190 74	5,269 16
Total cost of production		$14,080 29

Capital Expenditure.

Reservoirs		$128,903 20
Cost of mains		
Cost of service pipes		
Cost of hydrants		
Cost of real estate and buildings		
Other assets		
Total assets		$128,903 20
Debentures current	$77,435 45	
Bank over draft	1,499 39	
Other liabilities	2,029 30	$80,964 14
Total liabilities		$80,964 14

WATER WORKS, MUNICIPALITY OF NIAGARA FALLS,

Plant installed, 1884.
Gravity or pumping system. Pumping.
Number of gallons pumped per year. 1,123,000,000.
Total daily capacity of pumps. No record.
Average daily consumption, 3,076,000.
Cost of production for 1,000 gallons.
Population of municipality, 7,300.

Gross earnings:	
From sale of water	$19,570 38
By meter	
By contract	
From sale of meters	
From permits tapping mains	
From other sources	141 46
Total income	$19,711 84
Less operating expenses	18,461 48
Surplus	$1,250 36

Operating expenses:		
Salaries of officers, superintendents, clerks, etc.	$4,080 00	
Office supplies and expenses	180 52	
Insurance	12 50	
Legal expenses and damages	10 00	
Other expenses	3,787 85	
Wages	708 58	
Supplies—Fuel	53 75	
Pumping station supplies	580 97	$9,414 17
Filtration supplies		....
Other supplies		....
For repairs and renewals		....
Interest on debentures		9,047 31
Total cost of production		$18,461 48

Capital Expenditure.

Reservoirs	$195,000 00
Cost of mains	
Cost of service pipes	
Cost of hydrants	
Cost of real estate and buildings	
Other assets, cash	967 24
New pump equipment	13,316 27
Total assets	$209,283 51
Debentures current	$97,664 59
Total liabilities	$97,664 59

WATER WORKS, MUNICIPALITY OF OTTAWA, EAST.

Plant installed, 1874.
Pumping system. Direct pumping.
Number of gallons pumped per year, 5,038,250,000.
Total daily capacity of pumps, 30,000,000 gallons.
Average daily consumption, 13,800,000 gallons.
Cost of production for 1,000 gallons, $.0386.
Population of municipality, 80,284.

Capital Expenditure.

Reservoirs	$2,415,000 00
Cost of mains	
Cost of service pipes	
Cost of hydrants	
Cost of real estate and buildings	
Other assets	
Total assets	$2,415,000 00
Debentures or bonds current	$1,665,799 38
Total liabilities	$1,665,799 38

Gross earnings:

From sale of water	$196,718 57
By meter	
By contract	
From sale of meters	
From permits tapping mains	
From other sources	

Total income	$196,718 57
Less operating expenses	194,638 09
Surplus for year	$2,080 48

Operating expenses:

Salaries of officers, superintendents, clerks, etc.	....	
Office supplies and expenses	....	
Insurance	....	
Legal expenses and damages, pump house	$10,449 22	
Other expenses—management	10,569 48	
Wages	7,627 10	
Discount	117 50	
Fire alarm expenses	3,501 10	
Filtration supplies	....	
Construction	22,608 29	
For repairs and renewals	28,826 89	$83,699 58
Interest on debentures and sinking fund		11,098 51
Total cost of production		$194,638 09

WATER WORKS, MUNICIPALITY OF ORANGEVILLE.

Plant installed, 1896.
Gravity or pumping system. Gravity.
Number of gallons pumped per year. No record.
Total daily capacity of pumps. No record.
Average daily consumption. No record.
Cost of production for 1,000 gallons. No record.
Population of municipality, 3,000.

Capital Expenditure.

Reservoirs	$50,734 34
Cost of mains	
Cost of service pipes	
Cost of hydrants	
Cost of real estate and buildings	1,100 00
Other assets	....
Total assets	$51,834 34
Debentures or bonds current	$32,342 50
Total liabilities	$32,342 50

Gross earnings:

From sale of water	$2,837 62
By meter	
By contract	....
From sale of meters	....
From permits tapping mains	....
From other sources	....

Total income	$2,837 62
Less operating expenses	2,123 20
Surplus for year	$714 42

Operating expenses:

Salaries of officers, superintendents, clerks, etc.	$501 00	
Office supplies and expenses	....	
Insurance	....	
Legal expenses and damages	....	
Other expenses	7 00	
Wages	103 50	$611 50
Supplies—Fuel		....
Pumping station supplies		....
Filtration supplies		....
Other supplies		....
For repairs and renewals		....
Interest on debentures		1,511 70
Total cost of production		$2,123 20

Water Works, Municipality of Oshawa.

Plant installed, 1904-1905.
Gravity or pumping system. Pumping system.
Number of gallons pumped per year, 67,013,377.
Total daily capacity of pumps, 28,800,000.
Average daily consumption, 183,000 gals.
Cost of production for 1,000 gallons, $0.12.8
Population of municipality, 5,647.

Gross earnings:

From sale of water		....
By meter		$4,686 66
By contract		1,432 06
From sale of meters		....
From permits tapping mains.		....
From other sources		1,910 50
Total income		$8,029 22
Less operating expenses		8,559 46
Deficiency for year		$550 24

Operating expenses:

Salaries of officers, superintendents, clerks, etc.	$195 00	
Office supplies and expenses	52 10	
Insurance	50 00	
Legal expenses and damages	....	
Other expenses	920 70	
		$1,353 03
Supplies—Fuel	$1,178 39	
Pumping station supplies	245 34	
Filtration supplies	....	
Other supplies	44 31	
		$1,468 04
For repairs and renewals	$668 77	
Interest on bonds or loans	5,069 02	
		$5,738 39
Total cost of production.		$8,559 46

Capital Expenditure.

Intake pipe	$14,511 82	
Reservoirs & tanks	5,900 00	
Cost of mains	50,891 81	
Pumping equipment	14,577 76	
Cost of service pipes	....	
Cost of hydrants and meters	7,367 01	
Cost conduits	17,421 00	
Cost of real estate and buildings	11,667 00	
Other assets	10,700 04	
Pump well	1,200 00	
Total assets		$134,236 44
Debentures or bonds current		$125,485 81
		$125,485 81

Water Works, Municipality of Owen Sound.

Plant installed, 1890.
Gravity or pumping system. Gravity and pumping.
Number of gallons consumed per year, 236,000,000.
Total daily capacity of pumps. No record.
Average daily consumption, 646,000 gals.
Cost of production for 1,000 gallons, $0.06.07.
Population of municipality, 11,000.

Gross earnings:

From sale of water By meter By contract	$14,526 86	
From hydrant rent	3,000 00	
From permits tapping mains	....	
From other sources (interest)	1,598 68	
Total income		$19,125 54
Less operating expenses		14,320 70
Surplus for year		$4,804 84

Operating expenses:

Salaries of officers, superintendents, clerks, etc.	$1,839 16	
Office supplies and expenses	118 48	
Depreciation	2,884 59	
Legal expenses and damages	....	
Other expenses	....	
Wages	1,594 69	
Pumping station supplies	....	
Filtration supplies	....	
Other supplies	....	
For repairs and renewals	2,156 35	
Interest on debentures	5,727 43	
Total cost of production.		$14,320 70

Capital Expenditure.

Reservoirs and storage	$3,000 00	
Cost of wells, $4,900, etc., $500	5,400	
Cost of service pipes	....	
Cost of hydrants and meters	6,234 55	
Cost of real estate	2,230 00	
Other assets	172,690 54	
Total assets		$189,555 09

WATER WORKS, MUNICIPALITY OF OWEN SOUND.—*Continued.*

Debentures or bonds current	$131,074 10	
Bank over draft	1,156 96	
Municipal over draft	....	
		$132,231 06

Total liabilities	$132,231 06
Sinking fund	44,142 54
Net debt	$88,089 52

WATER WORKS, MUNICIPALITY OF PAISLEY.

Plant installed, 1888.
Gravity or pumping system. Pumping system.
Number of gallons pumped per year. No record.
Total daily capacity of pumps. No record.
Average daily consumption. No record.
Cost of production for 1,000 gallons. No record.
Population of municipality, 815.

Water is pumped from Saugeen River for street watering and fire purposes only. Expense of fire protection, $525.09, and street watering, $40.00, paid out of general municipal fund.

Capital Expenditure.

Reservoirs	Estimated value $9,900 00
Cost of mains	
Cost of service pipes	
Cost of hydrants	
Cost of real estate and buildings	
Other assets	
Total assets	$9,900 00

WATER WORKS, MUNICIPALITY OF PARIS.

Plant installed, 1882.
Pumping system. Pumping system.
Number of gallons pumped per year, 1,000,000,000.
Total daily capacity of pumps. No record.
Average daily consumption. No record.
Cost of production for 1,000 gallons.
Population of municipality. 4,000.

Capital Expenditure.

Reservoirs	$79,558 00
Cost of mains	
Cost of service pipes	
Cost of hydrants	
Cost of real estate and buildings	
Other assets	
Total assets	$79,558 00
Debentures current	$8,803 00
Total liabilities	$8,803 00
Gross earnings:	
From sale of water	$4,410 14
By meter	
By contract	
From sale of meters	
From permits tapping mains	
From other sources	

Total income		$4,410 14
Less operating expenses		2,245 24
Surplus		$2,164 90
Operating expenses:		
Salaries of officers superintendents, clerks, etc.	$745 24	
Office supplies and expenses		
Insurance		
Legal expenses and damages		
Other expenses		
Wages		
Supplies—Fuel		
Pumping station supplies		
Filtration supplies		
Paid for power	1,500 00	
For repairs and renewals	....	
Interest on bonds or loans	....	
Total cost of production		$2,245 24

WATER WORKS, MUNICIPALITY OF PETROLEA.

Plant installed, 1896.
Gravity or pumping system. Pumping system.
Number of gallons pumped per year, 202,518,896.
Total daily capacity of pumps. No record.
Average daily consumption, 555,000.
Cost of production for 1,000 gallons, $0.075
Population of municipality, 4,000 (estimated).

Gross earnings:	
From sale of water	....
By meter	$1,201 49
By contract	14,621 47
From sale of meters	54 50
From permits tapping mains	....
From other sources	15 94

WATER WORKS, MUNICIPALITY OF PETROLEA.—*Continued.*

Total income		$15,893 40
Less operating expenses		15,192 42
Surplus for year		$700 98
Operating expenses:		
Salaries of officers, superintendents, clerks, etc.	$580 00	
Office supplies and expenses	67 45	
Insurance	3 75	
Legal expenses and damages	....	
Other expenses	455 66	
Wages	1,342 67	$2,449 53
Supplies—Fuel	$2,086 89	
Pumping station supplies	235 87	2,322 76
Filtration supplies	....	
Other supplies	....	
For repairs and renewals	$473 38	
Interest on bonds or loans	9,946 75	10,420 13
Total cost of production		$15,192 42

Capital Expenditure.

Reservoirs	$101,000 00	
Cost of mains	50,000 00	
Cost of service pipes	....	
Cost of hydrants	5,500 00	
Cost of real estate and buildings	6,200 00	
Other assets	27,568 68	
Total assets		$190,268 68
Debentures current		$121,009 09
Bank over draft		....
Municipal over draft		....
Total liabilities		$121,009 09

WATER WORKS, MUNICIPALITY OF PENETANGUISHENE.

Plant installed, 1890-1891.

Gravity or pumping system. Pumping system.

Number of gallons pumped per year. No record.

Total daily capacity of pumps, 1,160,000 gallons.

Average daily consumption. No record.

Cost of production for 1,000 gallons. No record.

Population of municipality, 3,300 estimated.

Gross earnings:		
From sale of water, Ordinary rates	$2,700 00	
By meter	....	
By contract	1,200 00	
From sale of meters	....	
From permits tapping mains	....	
From other sources	....	
Total income		$3,900 00
Less operating expenses		4,291 31
Deficiency for year		$391 31
Operating expenses:		
Salaries of officers, superintendents, clerks, etc.	....	
Office supplies and expenses	$25 00	
Insurance		
Legal expenses and damages	Contract price for pumping	
Other expenses	2,300 00	
Wages		
Supplies—Fuel	....	
Pumping station supplies	....	
Filtration supplies	....	
Other supplies	....	
For repairs and renewals	$466 31	
Interest on bonds or loans	1,500 00	$1,966 31
Total cost of production		$4,291 31

Capital Expenditure.

Reservoirs	$2,500 00	
Cost of mains	25,400 00	
Cost of service pipes	4,300 00	
Cost of hydrants	1,600 00	
Cost of real estate and buildings	3,800 00	
Other assets	9,900 00	
Total assets		$47,500 00
Debentures current		$28,270 00
Bank over draft		....
Municipal over draft		....
Total liabilities		$28,270 00
Sinking fund		5,484 75
Net debt		$22,785 25

WATER WORKS, MUNICIPALITY OF PETERBORO'.

Plant installed 1882, purchased by the municipality, 1902.
Gravity or pumping system. Direct pumping.
Number of gallons pumped per year, 618,466,600.
Total daily capacity of pumps, 4,500,000 gallons.
Average daily consumption, 1,694,000 gals.
Cost of production for 1,000 gallons, $0.037
Population of municipality, 16,491.

Capital Expenditure.

Reservoirs	....	
Cost of mains and hydrants	$181,501 47	
Cost of service pipes	35,899 20	
Cost of real estate and buildings	58,000 00	
Other assets	63,412 79	
Total assets		$338,813 46
Debentures or bonds current		$312,000 00
Bank over draft		163 83
Municipal over draft		....
Total liabilities		$312,163 83

Gross earnings		
From sale of water	....	
By meter	$6,699 54	
By contract	29,632 55	
From sale of meters	....	
From permits tapping mains	....	
From other sources	1,693 12	
Total income		$38,024 71
Less operating expenses		22,238 33
Surplus for year		$5,786 38
Operating expenses:		
Salaries of officers, superintendents, clerks, etc.	$3,625 00	
Office supplies and expenses	832 14	
Insurance	48 75	
Legal expenses and damages	....	
Other expenses	1,347 42	
Wages	3,799 19	
		$9,652 50
Supplies—Fuel		$566 81
Pumping station supplies	....	
Filtration supplies	....	
Other supplies	....	
For repairs and renewals	$235 81	
Interest debentures	11,783 21	
		$12,019 02
Total cost of production		$22,238 33

WATER WORKS, MUNICIPALITY OF PRESTON.

Plant installed, 1906-1907.
Gravity or pumping system. Pumping and gravity.
Number of gallons pumped per year. No record.
Total daily capacity of pumps. No record.
Average daily consumption. No record.
Cost of production for 1,000 gallons. No record.
Population of municipality, 3,400.

Gross earnings:	
From sale of water By meter By contract From sale of meters From permits tapping mains From other sources	$895 55
Total income	$859 55
Less operating expenses	5,073 91
Deficiency for year	$4,214 36

Operating expenses:		
Wages and other disbursements	$675 08	
Supplies—Fuel	1,607 71	
Other supplies	268 16	
For repairs and renewals	2,522 96	
Total cost of production		$5,073 91

Capital Expenditure.

Reservoirs and supply system	$10,896 54	
Cost of mains and hydrants	51,477 07	
Cost of service pipes	3,224 31	
Cost of real estate and buildings	7,341 08	
Other assets	9,104 79	..
Total assets		$82,043 79
Debentures or bonds current		$55,089 32
Bank over draft		22,313 33
Total liabilities		$77,402 65

WATER WORKS, MUNICIPALITY OF PORT ELGIN.

Plant installed, 1906-1907.
Gravity or pumping system. Pumping.
Number of gallons pumped per year. No record.
Total daily capacity of pumps. No record.
Average daily consumption. No record.
Cost of production for 1,000 gallons. No record.
Population of municipality, 1,400.

Gross earnings:

From sale of water	$336 00
By meter	
By contract	
From sale of meters	
From permits tapping mains	
From other sources	
Total income	$336 00
Less operating expenses	2,742 87
Deficiency for year	$2,406 87

Operating expenses:

Wages	$275 00	
Supplies—Fuel	490 00	
Pumping station supplies	60 00	
Other supplies	340 00	
Interest on debentures	1,577 87	
Total cost of production		$2,742 87

Capital Expenditure.

Reservoirs	$40,000 00
Cost of mains	
Cost of service pipes	
Cost of hydrants	
Cost of real estate and buildings	
Other assets	
Total assets	$40,000 00
Debentures or bonds current	$38,843 86
Total liabilities	$38,843 86

WATER WORKS, MUNICIPALITY OF PORT ARTHUR.

Plant installed, 1903 and 1904.
Gravity or pumping system. Pumping.
Number of gallons pumped per year, 292,000,000.
Total daily capacity of pumps, 3,168,000 gals.
Average daily consumption, 800,000 gals.
Cost of production for 1,000 gallons, .16.3.
Population of municipality, 13,000, estimated.

Gross earnings:

From sale of water	$16,811 06
By meter	
By contract	
From sale of meters	
From fire hydrants	1,762 50
From other sources	....
Total income	$18,573 56
Less operating expenses	47,631 94
Deficiency for year	$29,058 38

Operating expenses:

Salaries of officers, superintendents, clerks, etc.	$2,344 83	
Office supplies and expenses	429 09	
Insurance	40 00	
Legal expenses and damages	....	
Other expenses	965 52	
Wages	8,871 50	
Supplies—Fuel, power purchased	3,000 00	
		$15,650 94
Pumping station supplies		....
Filtration supplies		....
Other supplies		....
Sinking fund		6,981 00
Interest on debentures		25,000 00
Total cost of production		$47,631 94

Capital Expenditure.

Reservoirs	$7,200 00
Cost of mains	302,846 25
Cost of service pipes	
Cost of hydrants	5,000 00
Cost of real estate and buildings, pumping equipment	8,500 00
Other assets	....
Total assets	*$323,546 25
Debentures or bonds current	*$501,500 00
Less sinking fund	14,092 05
Municipal over draft	....
Total liabilities *net*	$487,407 95

*The debentures current were issued to cover expenditure authorized to the extent of $501,500, of which sum has been expended as at this date $323,546.25. The system is being extended, and the work will be continued throughout the year.

Water Works, Municipality of Port Colborne.

Plant installed, 1898.
Gravity or pumping system. Pumping system.
Number of gallons pumped per year. No record.
Total daily capacity of pumps, 360,000.
Average daily consumption. No record.
Cost of production for 1,000 gallons. No record.
Population of municipality, 1,500 (about).

Gross earnings:	
From sale of water	$2,000 00
By meter	
By contract	
From sale of meters	
From permits tapping mains	
From other sources	
Total income	$2,000 00
Less operating expenses	2,980 00
Deficiency for year	980 00

Operating expenses:		
Salaries of officers, superintendents, clerks, etc.	$600 00	
Maintenance	*1,471 88	
Office supplies and expenses		
Insurance	....	
Legal expenses and damages	....	
Other expenses	....	
Wages	....	
Supplies—Fuel, natural gas	147 12	
Pumping station supplies	....	
Filtration supplies	....	
Other supplies	......	
For repairs and renewals	....	
Interest on bonds or loans, $19,025.11, 4 per cent.	761 00	
Total cost of production.		$2,980 00

*Paid out of general municipal funds.

Capital Expenditure.

Reservoirs	$26,000 00
Cost of mains	
Cost of service pipes	
Cost of hydrants	
Cost of real estate and buildings	
Other assets	
Total assets	$26,000 00
Debentures current	$19,025 11
Total liabilities	$19,025 11

Water Works, Municipality of Port Hope.

Plant installed, 1896.
Gravity or pumping system. Pumping.
Number of gallons pumped per year, 49,486,500.
Total daily capacity of pumps, 2,448,000.
Average daily consumption, 135,600 gals.
Cost of production for 1,000 gallons, .11.
Population of municipality, 4,700.

Gross earnings:		
From sale of water	....	
By meter	$6,290 45	
By contract	2,374 53	
From sale of meters	....	
From permits tapping mains	....	
From other sources	314 86	
Total income		$8,979 84
Less operating expenses		5,835 43
Surplus for year		$3,144 41

Operating expenses:		
Salaries of officers, superintendents, clerks, etc.	$1,607 78	
Office supplies and expenses	112 35	
Insurance	....	
Legal expenses and damages	....	
Other expenses	90 29	
Extension system	896 42	
Wages	....	
		$2,706 84
Supplies—Fuel	$1,414 42	
Pumping station supplies	165 43	
Filtration supplies	....	
Other supplies	....	
		1,579 85
For repairs and renewals	$1,343 64	
Interest on bonds or loans	205 10	
		1,548 74
Total cost of production.		$5,835 43

Capital Expenditure.

Filtering basin	$4,787 34	
Water tower	5,294 00	
Pump	3,467 00	
Cost of mains Cost of service pipes	24,652 98	
Cost of hydrants and valves	2,587 74	
Cost of meters	4,459 69	
Cost of real estate and buildings	1,717 22	
Original investment.	57,449 19	
Other assets	....	
Total assets		$104,415 16
Debentures or bonds current		$41,216 05
Total liabilities		$41,216 05

WATER WORKS, MUNICIPALITY OF PORT PERRY.

Plant installed, 1903.

Gravity or pumping system. Pumping.

Number of gallons pumped per year. No record.

Total daily capacity of pumps. No record.

Average daily consumption. No record.

Cost of production for 1,000 gallons. No record.

Population of municipality, 1,300.

This plant is operated for fire protection only, and expenses are paid out of general municipal funds.

Capital Expenditure.

Reservoirs and Tank	$1,500	This plant was erected with Electric light plant at cost of $23,500. The Electric light plant is estimated to have cost $17,500.
Cost of mains and hydrants	2,000	
Pumps	1,200	
Cost of steam plants	500	
Cost of real estate and buildings	800	
Other assets		
Total assets	$6,000	

Debentures or bonds current	$21,607 44
Deduct estimated proportion of debentures issued to cover cost of electric light plant	16,207 44
Liabilities	$5,400 00

WATER WORKS, MUNICIPALITY OF PRESCOTT.

Plant installed, 1900.
Gravity or pumping system. Pumping.
Number of gallons pumped per year, 46,336,464.
Total daily capacity of pumps, 1,440,000.
Average daily consumption, 127,000 gals.
Cost of production for 1,000 gallons, .11.5.
Population of municipality, 3,074.

Gross earnings:		
From sale of water	$3,797 60	
By meter	816 01	
By contract	....	
From sale of meters		
From permits tapping mains	3,031 41	
From other sources	....	
Total income		$7,645 02
Less operating expenses		5,396 15
Surplus for year		$2,248 87

Operating expenses:		
Salaries of officers, superintendents, clerks, etc.	$360 00	
Office supplies and expenses	158 32	
Insurance	51 88	
Legal expenses and damages	....	
Other expenses	468 00	
Wages	....	
		$1,038 20
Supplies—Fuel	$1,030 00	..
Pumping station supplies	115 30	
Other supplies	960 22	
		2,105 52
For repairs and renewals	85 15	
Interest on bonds or loans	2,167 28	
		2,252 43
Total cost of production		$5,396 15

Capital Expenditure.

Reservoirs	$39,320 38	
Cost of mains	6,382 69	
Cost of hydrants	2,730 00	
Cost of real estate and buildings	4,050 00	
Other assets	17,662 65	
Total assets		$70,145 72
Debentures or bonds current		$53,317 93
Total liabilities		$53,317 93

WATER WORKS, MUNICIPALITY OF SHELBOURNE.

Plant installed, 1899.
Gravity or pumping system. Pumping.
Number of gallons pumped per year. No record.
Total daily capacity of pumps. No record.
Average daily consumption. No record.
Cost of production for 1,000 gallons. No record.
Population of municipality, 1,200.

Gross earnings:	
From sale of water	1,137 50
By meter	
By contract	
From sale of meters	
From permits tapping mains	
From other sources	13 95
Total income	$1,151 45
Less operating expenses	1,061 95

WATER WORKS, MUNICIPALITY OF SHELBOURNE.—*Continued.*

Surplus for year		$89 50
Operating expenses:		
Salaries of officers, superintendents, clerks, etc.	$125 00	
Office supplies and expenses	....	
Cost of gasoline engine	450 00	
Legal expenses and damages	....	
Other expenses	....	
Wages	75 00	
		$650 00
Supplies—Fuel	....	
Pumping station supplies	....	
Filtration supplies	....	
Other supplies	....	
For repairs and renewals		....
Interest on bonds or loans—estimated		411 95
Total cost of production		$1,061 95

Capital Expenditure.

Reservoirs Cost of mains Cost of service pipes Cost of hydrants Cost of real estate and buildings Other assets	Approximation.
Total assets	$31,000 00
Debentures or bonds current	$10,248 93
Total liabilities	$10,248 93

WATER WORKS, MUNICIPALITY OF SEAFORTH.

Plant installed, 1879.
Gravity or pumping system. Pumping.
Number of gallons pumped per year. No record.
Total daily capacity of pumps, 3,600,000 gals.
Average daily consumption. No record.
Cost of production for 1,000 gallons. No record.
Population of municipality, 2,251.

Gross earnings:	
From sale of water By meter By contract	$705 22
From fire protection hydrants	650 00
From permits tapping mains	....
From other sources	....
Total income	$1,355 22
Less operating expenses	1,439 42
Deficiency for year	$84 20

Operating expenses:		
Salaries of officers, superintendents, clerks, etc.	....	
Office supplies and expenses	....	
Insurance	....	
Legal expenses and damages	....	
Other expenses	....	
Wages	$395 00	
Supplies—Fuel	520 24	
Pumping station supplies	233 45	
		$1,148 69
Interest on debentures and sinking fund		290 73
Total cost of production		$1,439 42

Capital Expenditure.

Reservoirs Cost of mains Cost of service pipes Cost of hydrants Cost of real estate and buildings Other assets	$14,500 00
Total assets	$14,500 00
Debentures or bonds current	$3,500 00
Total liabilities	$3,500 00

WATER WORKS, MUNICIPALITY OF SIMCOE.

Plant installed, 1907.
Gravity or pumping system. Pumping.
Number of gallons pumped per year, 14,706,880.
Total daily capacity of pumps, 2,880,000.
Average daily consumption, 40,000.
Cost of production for 1,000 gallons, .41.5.
Population of municipality, 3,500.

Gross earnings:		
From sale of water	....	
By meter	$1,419 27	
By contract	3,197 00	
From sale of meters	468 00	
From permits tapping mains	....	
From other sources	....	
Total income		$5,084 27
Less operating expenses		6,081 76
Deficiency for year		$997 49

WATER WORKS, MUNICIPALITY OF SIMCOE.—*Continued.*

Operating expenses:

Salaries of officers, superintendents, clerks, etc.	$1,013 64	
Office supplies and expenses	6,786 00	
Insurance	33 30	
Legal expenses and damages	225 53	
Other expenses	32 43	
Wages	100 00	
Supplies—Fuel, gas.	204 65	
Pumping station supplies	....	
Filtration supplies	59 78	
Other supplies—oil	47 16	
For repairs and renewals	....	
Interest and pay't debentures	4,297 41	
		$6,081 76

Total cost of production.	$6,081 76

Capital Expenditure.

Pumping equipment.	$10,328 21	
Reservoirs	6,425 42	
Cost of mains	34,345 11	
Cost of service pipes and wells	5,443 38	
Cost of hydrants and meters	5,511 74	
Cost of real estate and buildings	7,824 05	
Other assets	2,770 89	
Total assets		$72,648 80
Debentures or bonds current		$70,000 00
Total liabilities		$70,000 00

WATER WORKS, MUNICIPALITY OF ST. CATHARINES.

Plant installed, 1878-1879.
Gravity or pumping system. Gravity.
Number of gallons per year, 790,000,000.
Total daily.
Average daily consumption, 2,164,000 gals.
Cost of production for 1,000 gallons, .02.8.
Population of municipality, 12,307.

Gross earnings:

From sale of water		
By meter	6,859 31	
By contract	21,516 11	
From hydrants, rentals, etc.	5,956 45	
From other sources	1,620 89	
Total income		$35,952 76
Less operating expenses		22,296 60
Surplus for year		$13,656 16

Salaries of officers, superintendents, clerks, etc.	$2,739 96	..
Office supplies and expenses	179 71	
Insurance	35 50	
Exp. reservoirs	1,869 67	
Other exp. leases, etc.	800 51	
Meter maintenance	171 97	
		$5,797 32
For repairs, renewals and services.	2,699 28	
Interest debentures.	13,800 00	
		16,499 28
Total cost of production.		$22,296 60

Assets.

Reservoirs Cost of mains Cost of service pipes Cost of hydrants Cost of real estate and buildings	$543,410 03
Other assets—cash	380 80
Total assets	$543,790 83
Debentures current	$345,000 00
Deduct sinking fund	54,312 76
Liabilities net	$290,687 24

WATER WORKS, MUNICIPALITY OF SOUTHAMPTON.

Plant installed, 1907.
Gravity or pumping system. Pumping.
Number of gallons pumped per year, 20,000,000 gals.
Total daily capacity of pumps, 1,152,000 gals.
Average daily consumption, 54,800.
Cost of production for 1,000 gallons, .11.5.
Population of municipality, 1,723.

Gross earnings:

From sale of water	....
By meter	$83 14
By contract	1,680 07
From sale of meters	....
From permits tapping mains	....
From other sources	....

WATER WORKS, MUNICIPALITY OF SOUTHAMPTON.—*Continued.*

Total income		$1,763 21
Less operating expenses		2,339 60
Deficiency for year		$576 39
Operating expenses:		
Salaries of officers, superintendents, clerks, etc.	$400 00	
Office supplies and expenses	....	
Insurance	20 00	
Legal expenses and damages	....	
Other expenses ..	....	
Wages	....	
		$420 00
Supplies—Fuel ...	$620 00	
Pumping station supplies	50 00	
Other supplies ...	92 13	
		762 13
Interest on debentures........		1,157 47
Total cost of production.		$2,339 60

Capital Expenditure.

Reservoirs................. Cost of mains.............. Cost of service pipes........ Cost of hydrants............ Cost of real estate and buildings..................... Other assets	$33,869 98
Total assets	$33,869 98
Debentures or bonds current..	$29,494 89
Total liabilities	$29,494 89

WATER WORKS, MUNICIPALITY OF STAYNER.

Plant installed, 1898.
Gravity or pumping system. Gravity.
Number of gallons pumped per year. None.
Total daily capacity of pumps.
Average daily consumption. No record.
Cost of production for 1,000 gallons. No record.
Population of municipality, 1,057.

Gross earnings:		
From sale of water......... By meter................ By contract.............. From sale of meters........ From permits tapping mains From other sources........		$860 58
Total income		$860 58
Less operating expenses		850 14
Surplus for year		10 44
Operating expenses:		
Salaries of officers, superintendents, clerks, etc.	$24 00	
Office supplies and expenses	....	
Insurance	14 60	
Legal expenses and damages	....	
Other expenses ..	5 00	
Wages	5 00	
		$48 60
Supplies—Fuel	....	
Pumping station supplies	....	
Filtration supplies	....	
Other supplies ...	23 00	
		71 60
For repairs and renewals		778 54
Total cost of production.		$850 14

Capital Expenditure.

Reservoirs................. Cost of mains.............. Cost of service pipes .... Cost of hydrants............ Cost of real estate and buildings..................... Other assets	$25,000 00
Total assets	*$25,000 00

*Contract price no details available.

Debentures or bonds current..	$19,569 20
Total liabilites	$19,569 20

WATER WORKS, MUNICIPALITY OF STURGEON FALLS.

Plant installed, 1903.

Gravity or pumping system. Pumping.

Number of gallons pumped per year, 91,250,000.

Total daily capacity of pumps. Pumped by Imperial Paper Mills.

Average daily consumption, 250,000 gals.

Cost of production for 1,000 gallons. Not given.

Population of municipality, 3,000.

Gross earnings:	
From sale of water......... By meter................ By contract.............. From sale of meters........ From permits tapping mains From other sources........	$8,567 52
Total income	$8,567 52
Less operating expenses.......	*2,454 96
Surplus or deficiency for year..	$6,112 56

WATER WORKS, MUNICIPALITY OF STURGEON FALLS.—*Continued.*

Operating expenses:	
Salaries of officers, superintendents, clerks, etc.	Details not given.
Office supplies and expenses	
Insurance	
Legal expenses and damages	
Other expenses	
Wages	
Supplies—Fuel	
Pumping station supplies	
Filtration supplies	
Other supplies	
For repairs and renewals	
Interest on bonds or loans	
Total cost of production	

*Operating expenses shown are evidently only part of cost of working of plant.

Capital Expenditure.

Reservoirs	$46,000 00
Cost of mains	
Cost of service pipes	
Cost of hydrants	
Cost of real estate and buildings	
Other assets	
Total assets	$46,000 00

Debentures or bonds current	Not given.
Bank over draft	
Municipal over draft	
Total liabilities	

WATER WORKS, MUNICIPALITY OF STRATFORD.

Plant installed, 1883.
Gravity or pumping system. Direct pumping.
Number of gallons pumped per year, 209,191,300.
Total capacity of pumps, 3,500,000 daily.
Average daily consumption, 573,000 gals.
Cost of production for 1,000 gallons, .09.2.
Population of municipality, 14,500.

Gross earnings:	
From sale of water	
By meter By contract	$24,564 85
From sale of meters	....
From permits tapping mains	694 80
From other sources	....
Total income	$25,259 65
Less operating expenses	19,132 98
Surplus for year	$6,126 67

Operating expenses:		
Salaries of officers, superintendents, clerks, etc.	$3,981 96	
Office supplies and expenses	....	
Insurance	....	
Legal expenses and damages	....	
Other expenses	920 22	
Wages	2,779 84	
Supplies—Fuel	....	
Pumping station supplies	....	
Filtration supplies	....	
Other supplies	....	
Sinking fund charges	4,936 28	
Interest on debentures	6,514 68	
		19,132 98
Total cost of production		$19,132 98

Capital Expenditure.

Reservoirs	$195,796 84
Cost of mains	
Cost of service pipes	
Cost of hydrants	
Cost of real estate and buildings	
Other assets	
Total assets	$195,796 84

Debentures or bonds current	Not given.
Bank over draft	
Municipal over draft	
Total liabilites	

WATER WORKS, MUNICIPALITY OF STRATHROY.

Plant installed, 1903.
Gravity or pumping system. Pumping.
Number of gallons pumped per year, 62,875,000.
Total daily capacity of pumps, 600,000.
Average daily consumption, 172,000 gals.
Cost of production for 1,000 gallons.
Population of municipality, 3,000.

Gross earnings:	
From sale of water	Not given.
By meter	
By contract	
From sale of meters	
From permits tapping mains	
From other sources	
Total income	
Less operating expenses	
Surplus or deficiency for year	

Operating expenses:	
Salaries of officers, superintendents, clerks, etc.	Not given.
Office supplies and expenses	
Insurance	
Legal expenses and damages	
Other expenses	
Wages	
Supplies—Fuel	
Pumping station supplies	
Filtration supplies	
Other supplies	
For repairs and renewals	
Interest on bonds or loans	
Total cost of production	

WATER WORKS, MUNICIPALITY OF STEELTON.

Plant installed, 1906.
Gravity or pumping system. Pumping.
Number of gallons pumped per year. No record.
Total daily capacity of pumps. No record.
Average daily consumption. No record.
Cost of production for 1,000 gallons. No record.
Population of municipality. Not given.

Gross earnings:		
From sale of water		
By meter		
By contract	$145 45	
From sale of meters		
From permits tapping mains		
From other sources		
Total income	$145 45	
Less operating expenses	91 68	
Surplus for year	$53 77	
Operating expenses:		
Salaries of officers, superintendents, clerks, etc.	....	
Office supplies and expenses	$29 20	
Insurance	....	
Legal expenses and damages	7 64	
Other expenses	....	
Wages	....	
Supplies—Fuel	....	
Pumping station supplies	....	
Filtration supplies	54 84	
Other supplies	....	
		$91 68
For repairs and renewals		....
Interest on bonds or loans		....
Total cost of production		$91 68

This plant only in operation for three months.

Capital Expenditure.

Reservoirs	$33,316 16
Cost of mains	
Cost of service pipes	
Cost of hydrants	
Cost of real estate and buildings	
Other assets	
Total assets	$33,316 16
Debentures or bonds current	Not given.
Bank over draft	
Municipal over draft	
Total liabilities	....

WATER WORKS, MUNICIPALITY OF ST. THOMAS.

Plant installed, 1890-1891.
Gravity or pumping system. Pumping.
Number of gallons pumped per year, 507,106,436 gals.
Total daily capacity of pumps, 9,000,000 gals.
Average daily consumption, 1,389,450.
Cost of production for 1,000 gallons, .38.4.
Population of municipality, 15,000.

Gross earnings:	
From sale of water	......
By meter	$15,688 87
By contract	17,807 69
From sale of meters	43 49
From permits tapping mains	....
From other sources	1,756 26

WATER WORKS, MUNICIPALITY OF ST. THOMAS.—*Continued.*

Total income		$35,296 31
Less operating expenses		19,404 48
Surplus for year		$15,891 83

Operating expenses:

Salaries of officers, superintendents, clerks, etc.	$1,940 00	
Office supplies and expenses	500 65	
Insurance	40 00	
Legal expenses and damages	200 00	
Other expenses	91 23	
Wages	4,142 92	
		$6,914 80
Supplies—Fuel	$2,645 31	
Pumping station supplies	1,287 80	
Filtration supplies	1,105 52	
Other supplies	742 86	
		5,781 49
For repairs and renewals		638 47
Interest on bonds or loans		6,069 72
Total cost of production		$19,404 48

Capital Expenditure.

Reservoirs Cost of mains Cost of service pipes Cost of hydrants Cost of real estate and buildings Other assets	$280,878 50
Total assets	$280,878 50
Debentures current	$166,311 30
Total liabilities	$166,311 30

WATER WORKS, MUNICIPALITY OF ST. MARYS.

Plant installed, 1899-1900.
Gravity or pumping system. Pumping.
Number of gallons pumped per year, No record.
Total daily capacity of pumps. No record.
Average daily consumption. No record.
Cost of production for 1,000 gallons. No record.
Population of municipality, 3,396.

Gross earnings:

From sale of water By meter By contract From sale of meters From permits tapping main From other sources	$5,244 24
Total income	$5,244 24
Less operating expenses	....
Surplus or deficiency for year	....

Operating expenses:

Salaries of officers, superintendents, clerks, etc. Office supplies and expenses Insurance Legal expenses and damages Other expenses	Not given.
Wages Supplies—Fuel Pumping station supplies Filtration supplies Other supplies For repairs and renewals Interest on bonds or loans	Not given.
Total cost of production	

Capital Expenditure.

Reservoirs Cost of mains Cost of service pipes Cost of hydrants Cost of real estate and buildings Other assets	*$60,000 00
Total assets	*$60,000 00

*Estimated value.

Debentures current	$41,012 13
Total liabilities	$41,012 13

This plant is being operated with electric light plant and there are no separate accounts of receipts and disbursements.

WATER WORKS, MUNICIPALITY OF STOUFFVILLE.

Plant installed, 1897.
Gravity or pumping system. Gravity.
Number of gallons pumped per year. No record.
Total daily capacity of pumps. No record.
Average daily consumption. No record.
Cost of production for 1,000 gallons. No record.
Population of municipality, 1,052.

Gross earnings:

From sale of water By meter By contract	$665 63
From sale of meters	....
From permits tapping mains	....
From other sources	....
Total income	$665 63
Less operating expenses	882 09

WATER WORKS, MUNICIPALITY OF STOUFFVILLE.—*Continued.*

Deficiency for year 1908	$216 46
Operating expenses:	
Salaries of officers, superintendents, clerks, etc.	$96 13
Office supplies and expenses	
Insurance	
Legal expenses and damages	
Other expenses	
Wages	
Supplies—Fuel	
Pumping station supplies	
Filtration supplies	
Other supplies	
For repairs and renewals	
Interest on debentures	785 96
Total cost of production.	$882 09

Capital Expenditure.

Reservoirs	$25,000 00
Cost of mains	
Cost of service pipes	
Cost of hydrants	
Cost of real estate and buildings	
Other assets	
Total assets	$25,000 00
Debentures current	$19,989 00
Bank over draft	....
Municipal over draft	....
Total liabilities	$19,989 00

WATER WORKS, MUNICIPALITY OF TEESWATER.

Plant installed, 1889.

Gravity or pumping system. Pumping.

Number of gallons pumped per year. No record.

Total daily capacity of pumps. No record.

Average daily consumption. No record.

Cost of production for 1,000 gallons. No record.

Population of municipality. Not given.

This plant is operated for fire protectioin purposes only. The Electric Light Company has use of buildings and boilers to run their plant and for such use they keep at all times 60 pounds steam and pump water when required, and keep the plant in repair. Village has no expense except insurance and cost of keeping pumps in repair.

Gross earnings:	
From sale of water	$30 00
By meter	
By contract	
From sale of meters	
From permits tapping mains	
From other sources	
Total income	$30 00
Less operating expenses	795 78
Deficiency for year	$765 78

Operating expenses:		
Salaries of officers, superintendents, clerks, etc.	....	....
Office supplies and expenses	....	
Insurance	$26 04	
Legal expenses and damages	215 69	
Other expenses	....	
Wages	....	
		$241 73
Supplies—Fuel	....	
Pumping station supplies	....	
Filtration supplies	....	
Other supplies	....	
For repairs and renewals		554 05
Interest on bonds or loans		....
Total cost of production.		$795 78

Capital Expenditure.

Reservoirs	....	
Cost of pumping equipment	$4,500 00	
Cost of mains	7,500 00	
Cost of service pipes	....	
Cost of hydrants	....	
Cost of real estate and buildings	3,000 00	
Other assets	....	
Total assets		$15,000 00
Debentures or bonds current		$10,387 52
Bank over draft		....
Municipal over draft		....
Total liabilities		$10,387 52
Sinking fund		9,000 00
Net liabilities		$1,387 52

Water Works, Municipality of Thessalon.

Plant installed, 1896.
Gravity or pumping system. Pumping.
Number of gallons pumped per year. No record.
Total daily capacity of pumps. No record.
Average daily consumption. No record.
Cost of production for 1,000 gallons. No record.
Population of municipality. Not given.

Gross earnings:

From sale of water	$2,177 40	
By meter	....	
By contract	....	
Fire protection	800 00	
From sale of meters	....	
From permits tapping mains	....	
From other sources	....	
Total income		$2,977 40
Less operating expenses		3,121 48
Deficiency for year		$144 08

Operating expenses:

Salaries of officers, superintendents, clerks, etc.	....	
Office supplies and expenses	....	
Insurance	$20 00	
Legal expenses and damages	....	
Other expenses	....	
Wages	529 50	
		$549 50
Supplies—Fuel	$1,696 82	
Filtration supplies	....	
Other supplies	202 45	
		$1,899 27
For repairs and renewals		....
Interest on bonds or loans		672 71
Total cost of production.		$3,121 48

Capital Expenditure.

Reservoirs Cost of mains Cost of service pipes Cost of hydrants	$18,340 45
Cost of real state and buildings	1,100 00
Other assets	....
Total assets	$19,440 45
Debentures current	$13,052 69
Bank over draft	....
Municipal over draft	....
Total liabilities	$13,052 69

Water Works, Municipality of Tilbury.

Plant installed, 1888.
Gravity or pumping system. Pumping.
Number of gallons pumped per year, 24,544,000 gallons.
Total daily capacity of pumps. No record—pumping done by M.C. Ry.
Average daily consumption. No record.
Cost of production for 1,000 gallons. No record.
Population of municipality, 1,493.

Gross earnings:

From sale of water By meter By contract From sale of meters From permits tapping mains From other sources	$870 00
Total income	$870 00
Less operating expenses	1,067 14
Deficiency for year	$197 14

Operating expenses:

Salaries of officers, superintendents, clerks, etc.	....	
Office supplies and expenses	....	
Insurance	$31 28	
Legal expenses and damages	....	
Other expenses	....	
Pumping M.C. Ry. Co.	657 33	
		$688 61
Supplies—Fuel	....	
Pumping station supplies	....	
Filtration supplies	....	
Other supplies	....	
For repairs and renewals		171 30
Interest on bonds or loans		207 23
Total cost of production.		$1,067 14

Capital Expenditure.

Reservoirs pump house and pump	$2,920 00	
Cost of mains	14,459 24	
Cost of service pipes	2,094 41	
Cost of hydrants	1,075 00	
Cost of real estate and buildings	50 00	
Other assets — fire, N. & S.E. & C.	1,200 00	
Total assets		$21,798 65
Debentures current		$6,000 00
Total liabilities		$6,000 00

Water Works, Municipality of Toronto.

Plant installed, 1872.
Gravity or pumping system. Pumping.
Number of gallons pumped during year, 10,699,056,355.
Total daily capacity of pumps, 59,000,000.
Average daily consumption, 29,038,000.
Cost of production for 1,000 gallons, .05.34.
Population of municipality, 330,000.

Gross earnings:

From sale of water........ By meter..............	$229,224 81
By contract	244,474 19
From city water supply....	86,511 75
From permits tapping mains	....
From other sources	3,095 84
Total income	$563,306 59
Less operating expenses	571,921 68
Deficiency for year	$8,615 09

Operating expenses:

Salaries of officers, superintendents, clerks, etc.	$36,431 36	
Office supplies and expenses	1,958 23	
Insurance	....	
Legal expenses and damages	709 00	
Other expenses ..	....	
Wages	132,084 74	
		$171,183 33
Supplies—Fuel	$58,951 03	
Pumping station supplies and repairs	13,112 67	
Filtration supplies	....	
Other supplies and repairs	23,804 78	
		95,868 48
For repairs and renewals		8,409 87
Interest on bonds or loans	215,233 00	
Sinking fund	81,227 00	
		296,460 00
Total cost of production.		$571,921 68

Capital Expenditure.

Reservoirs................. Cost of mains............... Cost of service pipes........ Cost of hydrants............ Cost of real estate and buildings.....................	7,035,601 90
Other assets	968,897 85
Total assets	$8,004,499 75
Debentures or bonds current.	$5,848,727 16
Other liabilities	527,647 66
Total liabilities	$6,376,374 82

Water Works, Municipality of North Toronto.

Plant installed, 1891.
Gravity or pumping system. Pumping.
Number of gallons pumped per year, 32,502,500.
Total daily capacity of pumps, 708,000 gals.
Average daily consumption, 88,200 gals.
Cost of production for 1,000 gallons, .42.8.
Population of municipality, 4,193.

Gross earnings:

From sale of water	$3,742 28
By meter	....
Water service	1,641 99
From sale of meters	......
From permits tapping mains	....
From other sources	
Total income	$5,384 27
Less operating expenses	13,917 87
Deficiency for year	$8,533 60

Operating expenses:

Salaries of officers, superintendents, clerks, etc.......	$1,160 00	
Office supplies and expenses	....	
Insurance	....	
Legal expenses and damages	....	
Other expenses — steel tower	997 76	
Wages	2,129 94	
Supplies—Fuel	....	
Pumping station supplies	623 31	
Filtration supplies	2,297 83	
Other supplies....	1,851 57	
		$9,060 41
Other expenses		136 87
Interest on bonds or loans....		4,720 59
Total cost of production.		$13,917 87

Capital Expenditure.

Reservoirs	....
Cost of mains	$ 48,004 63
Cost of service pipes	....
Cost of hydrants ..	....
Cost of real estate and buildings ..	64,022 66
Other assets, debentures	9,618 51
Total assets	$121,645 80
Debentures or bonds current..	$96,322 49
Municipal over draft	14,262 04
Total liabilities	$110,584 53

Water Works, Municipality of Walkerton.

Plant installed, 1891.
Gravity or pumping system. Gravity from springs; pumping from wells.
Number of gallons pumped per year. No record.
Total daily capacity of pumps. No record.
Average daily consumption. No record.
Cost of production for 1,000 gallons.
Population of municipality, 3,055.

Gross earnings:

From sale of water	$2,922 42
By meter	
By contract	
From sale of meters	
From permits tapping mains	
From other sources	
Total income	$2,922 42
Less operating expenses	2,310 67
Surplus for year	$611 75

Operating expenses:

Salaries of officers, superintendents, clerks, etc.	$300 00	
Office supplies and expenses	....	
Insurance	36 00	
Legal expenses and damages	6 45	
		$342 45
Supplies—Fuel	$451 70	
Pumping station supplies	70 48	
		522 18
Other supplies	$273 01	
For repairs and renewals	1,173 03	
		1,446 04
Total cost of production.		$2,310 67

Capital Expenditure.

Reservoirs	$2,841 90
Original contract	17,093 19
Connection and sundry work	10,470 23
Extensions	7,867 30
Cost of real estate and buildings	5,143 51
Other assets	811 00
Total assets	$44.227 13
Debentures current	$25,096 62
Total liabilities	$25,096 62

PUBLIC UTILITIES—WATER WORKS.

Tabulated Statement Compiled from Returns of Municipalities for Year Ending 31st December, 1908.

Name of Municipality.	Total Investment.	Debenture Debts.	Sinking Fund.	Net Debt.	Income.	Expenditure.	Surplus.	Deficits.
	$ c.	$ c.	$ c.	$ c.	$ c.	$ c.	$ c	$ c.
Alexandria	17,489 55	33,015 43		33,015 43		3,415 67		
Amherstburg								
Arnprior	75,262 01	49,607 94			5,540 07	9,618 11		4,078 04
Aylmer	66,022 00	42,337 18		42,337 18	4,987 35	4,416 46	570 89	
Barrie	124,584 78	91,311 54		91,311 54	13,594 35	11,829 62	1,764 73	
Beamsville	20,200 00	15,750 00			390 52	1,366 60		976 08
Belleville	207,554 03	194,455 08	36,568 78	157,886 30	26,335 71	21,513 44	4,822 27	
Berlin	220,444 23	101,366 90		101,366 90	31,333 69	20,768 99	10,564 70	
Beeton								
Bracebridge	66,714 30	36,716 94		36,716 94	4,458 69	2,324 58	2,134 11	
Brampton	94,491 91	74,000 00		74,000 00	5,122 00			
Brantford	467,677 38	445,000 00		445,000 00	51,113 12	32,786 84	18,326 28	
Bridgeburg	48,929 39	53,666 24		53,666 24	4,041 78	4,593 54		551 76
Brockville	270,600 80	158,136 44	65,197 12	92,939 22	31,845 90	31,651 08	194 82	
Campbellford								
Chatham	225,223 72	167,370 38			25,056 64	16,251 51	8,805 13	
Collingwood	102,033 34	53,936 52		53,936 52	14,062 17	10,523 16	3,539 01	
Cornwall	141,358 52	110,642 99			12,086 64	7,926 00	4,160 64	
Creemore	22,000 00	33,060 25		33,060 25	482 40	1,270 85		788 45
Deseronto								
Dundas	58,722 98	46,637 33		46,637 33	2,387 04	3,801 55		1,414 51
Dunnville								
Exeter	being installed							
Essex	33,000 00	20,835 14		20,835 14	2,135 35	3,417 48		1,282 13
Fenelon Falls								
Fort Frances	50,190 31	43,500 00		43,500 00	2,233 18	4,374 10		2,140 92
Fort William								
Galt	200,328 59	183,824 50	66,440 63	117,383 87	21,130 49	18,556 55	2,574 94	
Gananoque								
Georgetown	42,700 00	35,900 00			2,568 87	1,965 00	603 87	
Goderich								
Grimsby								
Guelph	173,948 90	125,000 00		125,000 00	30,517 95	18,076 15	12,441 80	
Hamilton	2,337,989 00	1,349,300 95	265,647 00	1,083,653 95	244,932 82	128,289 00	116,289 00	
Hanover	29,500 00	21,495 33		21,495 33	944 45	2,438 90		1,494 45
Hawkesbury	160,945 67	85,000 00		85,000 00	3,931 33	3,389 58	541 75	

PUBLIC UTILITIES—WATER WORKS.—*Continued.*

Tabulated Statement Compiled from Returns of Municipalities for Year Ending 31st December, 1908.

Name of Municipality.	Total Investment.	Debenture Debts.	Sinking Fund.	Net Debt.	Income.	Expenditure.	Surplus.	Deficits.
	$ c.	$ c.	$ c.	$ c.	$ c.	$ c.	$ c.	$ c.
Huntsvillle								
Iroquois	40,099 87	20,745 05		20,745 05	1,313 30	1,673 38		360 08
Kenora	192,199 40	163,454 30		163,454 30	20,642 61	17,782 53	2,860 08	
Kincardine	45,736 25	30,528 37		30,528 37	5,383 30	2,986 31	2,396 99	
Kingsville	30,000 00	20,794 25		20,794 25	1,914 07	2,576 93		662 86
Kingston	324,452 32	216,050 48		216,050 48	37,470 66	22,281 82	15,188 84	
Leamington								
Lindsay	101,497 93	86,748 23		86,748 23	13,793 63	8,992 31	4,801 32	
Listowel	45,000 00	34,666 53		34,666 53	3,931 61	4,430 56		498 95
London	942,748 05	630,379 64		630,379 64	109,478 59	65,038 15	44,440 44	
Markham	11,000 00	10,000 00		10,000 00				
Midland	87,576 12	66,347 05			8,231 32	6,471 33	1,759 99	
Milton								
Mitchell								
Morrisburg	35,000 00	13,177 81		13,177 81	2,892 13	3,056 25		164 12
Mount Forest	34,500 00	28,140 07		28,140 07	3,778 75	2,440 60	1,338 15	
Merritton	86,168 49	30,920 78			6,169 86	4,761 12	1,408 74	
New Liskeard								
Newmarket	531 25	20,317 36		20,317 36	2,649 60	2,216 59	433 01	
Niagara								
Niagara Falls	209,283 51	97,664 59		97,664 59	19,711 84	18,461 48	1,250 36	
North Bay	128,903 20	80,964 14		80,964 14	16,681 84	14,080 29	2,601 55	
Orangeville	51,834 34	32,342 50		32,342 50	2,837 62	2,123 20	714 42	
Orillia								
Oshawa	134,236 44	125,485 81		125,485 81	8,029 22	8,559 46		550 24
Ottawa	2,415,000 00	1,665,799 38			196,718 57	194,638 09	2,080 48	
Owen Sound	189,555 09	132,231 06	44,142 54	88,089 52	19,125 54	14,320 70	4,804 84	
Paisley	9,900 00							
Paris	79,558 00	8,803 00		8,803 00	4,410 14	2,245 24	2,164 90	
Parry Sound								
Penetang	47,500 00	28,270 00	5,484 75	22,785 25	3,900 00	4,291 31		391 31
Pembroke								
Peterboro	338,813 46	312,163 83		312,163 83	38,024 71	22,238 33	5,786 38	
Petrolea	190,268 68	121,009 09			15,893 40	15,192 42	700 98	
Picton								
Port Arthur	323,546 25	501,500 00		501,500 00	18,573 56	47,631 94		29,058 38

Port Colborne	26,000 00	19,025 11			2,000 00	2,980 00		980 00
Port Elgin	40,000 00	38,843 86		38,843 86	336 00	2,742 87	2,406 87	
Port Hope	104,415 16	41,216 04		41,216 05	8,979 84	5,835 43	3,144 41	
Port Perry estimated	6,000 00	5,400 00	A	5,400 00	A			
Prescott	70,145 72	53,317 93		53,317 93	7,645 02	5,396 15	2,248 87	
Preston	82,043 79	77,402 65		77,402 65	859 55	5,073 91		4,214 36
Renfrew								
Sarnia								
Seaforth	14,500 00	3,500 00		3,500 00	1,355 22	1,439 42		84 20
Shelbourne	31,000 00	10,248 93		10,248 93	1,151 45	1,061 95	89 50	
Simcoe	72,648 80	70,000 00		70,000 00	5,084 27	6,081 76		997 49
Smith's Falls								
Southampton	33,869 98	29,494 89		29,494 89	1,763 21	2,339 60		576 39
Stayner	25,000 00	19,569 20		19,569 20	860 58	850 14	10 44	
St. Catherines	543,790 83	345,000 00	54,312 76	290,687 24	35,952 76	22,296 60	13,656 16	
Sturgeon Falls	46,000 00				8,567 52	2,454 96	6,112 56	
Stratford	195,796 84				25,259 65	19,132 98	6,126 67	
Steelton	33,316 16				145 45	91 68	53 77	
St. Thomas	280,878 50	166,311 30		166,311 30	35,296 31	19,404 48	15,891 83	
St. Mary's	60,000 00	41,012 13		41,012 13	5,244 24			
Stouffville	25,000 00	19,989 00		19,989 00	665 63	882 09		216 46
Teeswater	15,000 00	10,387 52	9,000 00		30 00	795 78	765 78	
Thessalon	19,440 45	13,052 69		13,052 69	2,977 40	3,121 48		144 08
Tilbury	21,798 65	6,000 00		6,000 00	870 00	1,067 14		197 14
Toronto	8,004,499 75	6,376,374 82			563,306 59	571,921 68	8,615 09	
Toronto N.	121,645 80	110,584 53			5,384 27	13,917 87	8,533 60	
Toronto W.	210,000 00	175,000 00		175,000 00	28,673 83	19,986 41	8,687 42	
Walkerton	44,227 13	25,096 62			2,922 42	2,310 67	611 75	
Waterloo								
Welland								
Whitby								
Wiarton								
Windsor								
Wingham								
Woodstock	214,924 68	185,430 73	43,132 78	142,297 95	26,982 05	17,371 40	9,610 65	
	21,747,356 05	15,892,628 36	589,926 36	6,506,886 69	1,875,101 64	1,581,611 55	368,630 78	51,822 40

PUBLIC UTILITIES—WATER WORKS.

Tabulated Statement compiled from Returns of Municipalities for Year 1908.

Municipalities.	Population.	Production in Gallons.	Cost 1,000 Gallons.
			$ c.
Alexandria	2,232		
Arnprior	4,300	70,000,000	.14
Aylmer	2,500		
Beamsville	967		
Belleville	9,835	453,882,000	.049
Berlin	13,407	311,548,000	.067
Bracebridge	3,000	30,660,000	.075
Brampton	3,260		
Barrie	7,000	71,177,700	.17
Brantford		788,697,526	.0415
Bridgeburg	1,600		
Brockville	9,000	907,476,339	.035
Chatham	10,228	315,162,463	.051
Collingwood	7,708	244,045,000	.043
Cornwall	6,000	300,000,000	.026
Creemore	675		
Dundas	3,947		
Essex	1,300		
Exeter			
Fort Frances	1,650	14,116,500	.33
Galt	9,149	360,600,719	.051
Georgetown	1,525		
Guelph	14,000	358,814,800	.05
Hamilton	66,947	2,462,644,050	.052
Hanover	2,400		
Hawkesbury	4,500		
Iroquois	900		
Kenora	7,000		
Kincardine	2,721	180,000,000	
Kingsville	1,771		
Kingston	19,200	860,001,085	
Lindsay	8,000	158,611,950	.056
London	49,431	1,389,520,295	.041
Listowel	2,800	36,500,000	.121
Markham			
Midland	4,105		
Merritton	1,617		
Morrisburg	1,700		
Mt, Forest	2,300	44,000,000	.06
Newmarket	3,159		
North Bay	6,000		
Niagara Falls	7,300	1,123,000,000	.0165
Ottawa	80,284	5,038,250,000	.0386
Orangeville	3,000		
Oshawa	5,647	67,013,377	.1208
Owen Sound	11,000	236,000,000	.067
Paisley	*815		
Paris	4,000	1,000,000,000	
Petrolea	4,000	202,518,896	.075
Penetang	3,300		
Peterboro'	16,491	618,466,600	.037
Preston	3,400		
Port Elgin	1,400		
Port Arthur	13,000	292,000,000	.163
Port Colborne	1,500		
Port Hope	4,700	49,486,500	.11
Port Perry	1,300		
Prescott	3,074	46,336,464	.115
Shelbourne	1,200		

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* Street watering and fire purposes only.

PUBLIC UTILITIES—WATER WORKS.—Continued.

Tabulated Statement compiled from Returns of Municipalities for Year 1908.

Municipalities.	Population.	Production in Gallons.	Cost 1,000 Gallons.
			$ c.
Seaforth	2,251	....	....
Simcoe	3,500	14,706,880	.415
St. Catharines	12,307	790,000,000	.028
Southampton	1,723	20,000,000	.115
Stayner	1,057	....	....
Sturgeon Falls	3,000	91,250,000	....
Stratford	14,500	209,191,300	.092
Steelton	....	....	....
Strathroy	3,000	62,875,000	....
St. Thomas	15,000	507,106,436	.0384
St. Mary's	3,396	....	....
Stouffville	1,052	....	....
Teeswater	....	....	....
Thessalon	....	....	....
Tilbury	1,493	....	....
Toronto	330,000	10,699,056,355	.0534
Toronto North	4,193	32,502,500	.428
Toronto West	....	525,636,523	.038
Walkerton	3,055	....	....
Woodstock	9,201	442,275,520	.0393

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SUPPLEMENTARY RETURN

FROM THE RECORD OF THE

SEVERAL ELECTIONS

IN THE ELECTORAL DIVISIONS OF

EAST VICTORIA AND NORTH MIDDLESEX

Subsequent to the General Elections of June 8th, 1908

SHEWING:

(1) The number of Votes Polled for each Candidate in each Electoral District in which there was a contest;
(2) The majority whereby each successful Candidate was returned;
(3) The total number of Votes Polled;
(4) The number of Votes remaining Unpolled;
(5) The number of names on the Polling Lists;
(6) The number of Ballot Papers sent out to each Polling Place;
(7) The Used Ballot Papers;
(8) The Unused Ballot Papers;
(9) The Rejected Ballot Papers;
(10) The Cancelled Ballot Papers;
(11) The Declined Ballot Papers; and
(12) The Ballot Papers taken from Polling Places.

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1910.

STATEMENT by Returning Officer respecting Votes Polled and Ballot Papers used at the Polling Places of the Electoral District of North Middlesex, at the Election held on the 6th day of December, 1909.

Electoral District.	Numbers of Polling Places.	Names of Candidates and Number of Votes Polled for each.		Voters at each Polling Place.			Ballot Papers sent out, and how disposed of in each Polling Place.						
		Doyle.	Mitchell.	Total Number of Votes Polled.	Number of Votes remaining Unpolled.	Number of Names on the Polling Lists.	Number of Ballot Papers sent out to each Polling Place.	Used Ballot Papers.	Unused Ballot Papers.	Rejected Ballot Papers.	Cancelled Ballot Papers.	Declined Ballot Papers.	Ballot Papers taken from Polling Places.
North Middlesex.	Adelaide—												
	No. 1........ 1	51	67	118	25	143	175	118	57	......	......	......	......
	2........ 2	41	25	66	19	87	120	68	52	1	1	......	......
	3........ 3	81	61	142	70	212	250	142	108	......	......	......	......
	4........ 4	41	92	133	51	184	225	133	92	......	......	......	......
	5........ 5	20	28	48	11	59	100	48	52	......	......	......	......
	Biddulph—												
	No. 1........ 6	77	28	105	26	131	150	106	44	......	......	......	1
	2........ 7	66	30	96	19	115	150	96	54	......	......	......	......
	3........ 8	48	18	66	17	83	100	66	34	......	......	......	......
	4........ 9	62	62	124	11	135	150	125	25	......	1	......	......
Robert	5........10	102	51	153	42	199	250	157	93	2	2	......	......
Hutchinson,	Metcalfe—												
	No. 1........11	52	25	77	11	88	100	77	23	......	......	......	......
Returning	2........12	51	12	63	12	75	100	64	36	1	......	......	......
Officer.	3........13	40	31	71	18	89	125	71	54	......	......	......	......
	4........14	39	30	69	34	103	125	69	56	......	......	......	......
	5........15	26	44	70	28	98	125	70	55	......	......	......	......
	McGillivray—												
	No. 1........16	71	24	95	20	115	151	95	56	......	......	......	......
	2........17	47	55	102	23	126	150	103	47	1	......	......	......
	3........18	76	44	120	11	132	150	121	29	1	......	......	......
	4........19	36	44	80	15	95	125	80	45	......	......	......	......
	5........20	67	60	127	25	153	200	128	72	1	......	......	......
	6........21	44	45	89	12	101	150	89	61	......	......	......	......

7............22	52	55	107	25	134	150	109	41	2	......	......	....
East Williams—												
No. 1..........23	40	76	116	24	140	200	116	84	......	......	......	....
2............24	31	81	112	41	153	200	112	88	......	......	......	....
3............25	52	73	125	37	162	200	125	75	......	......	......	....
West Williams—												
No. 1..........26	43	78	121	31	152	174	121	53	......	......	......	....
2............27	43	51	94	32	126	150	94	56	......	......	......	....
3............28	45	61	106	20	127	150	107	43	1	......	......	....
Parkhill—												
No. 1..........29	53	36	89	30	121	150	91	59	2	......	......	....
2............30	42	51	93	22	116	150	94	56	1	......	......	....
3............31	63	60	123	28	154	200	126	74	......	3	......	....
Strathroy—												
No. 1..........32	49	64	113	24	138	150	114	36	1	......	......	....
2............33	29	52	81	20	103	125	83	42	2	......	......	....
3............34	67	67	134	86	221	250	135	115	......	......	1	....
4,............35	66	88	154	42	198	250	156	94	......	......	2	....
5............36	67	46	113	30	144	200	114	86	......	......	1	....
6............37	62	57	119	44	164	200	120	80	......	......	1	....
Ailsa Craig—												
No. 1..........38	69	98	167	21	188	250	167	83	......	......	......	....
Lucan—												
No. 1..........39	71	21	92	25	118	150	93	57	1	......	......	....
2............40	61	32	93	19	112	125	93	32		......	......	....
Totals............	2,143	2,023	4,166	1,101	5,297	6,595	4,196	2,399	17	7	5	1
Majority for Doyle	120											

STATEMENT by Returning Officer respecting Votes Polled and Ballot Papers used at the Polling Places of the Electoral District of East Victoria at the Election held on the 25th day of May, 1909.

Electoral District.	Numbers of Polling Places.	Names of Candidates and Number of Votes Polled for each.		Voters at Each Polling Place.			Ballot Papers sent out, and how disposed of in each Polling Place.						
		W. H. Lockhart Gordon.	Robert Mercer Mason.	Total Number of Votes Polled.	Number of Votes Remaining Unpolled.	Number of Names on the Polling Lists.	Number of Ballot Papers sent out to each Polling Place.	Used Ballot Papers.	Unused Ballot Papers.	Rejected Ballot Papers.	Cancelled Ballot Papers.	Declined Ballot Papers.	Ballot Papers taken from Polling Places.
East Victoria..	Omemee...	7	71	78	97	175	200	78	122				
	Emily...		29	29	70	99	100	29	70	1			
	do	1	28	29	55	84	100	29	71				
	do	4	26	30	65	95	100	30	70				
	do	8	13	21	124	145	125	21	104				
	do		17	17	57	74	100	17	83				
	do	1	9	10	67	77	100	10	90				
	do		14	14	85	99	150	14	136				
	Bobcaygeon...	1	55	56	110	166	200	56	144				
	do	5	33	38	57	95	100	38	62				
William Joseph Read, Returning Officer.	Sturgeon Point...		2	2	74	76	100	2	98				
	Verulam...	4	24	28	59	87	100	28	71	1			
	do	1	27	28	100	148	100	28	72				
	do	2	50	52	57	109	100	52	48				
	do		61	61	40	101	100	61	39				
	do		30	30	48	78	100	30	70				
	do		28	28	29	57	100	28	72				
	Fenelon Falls...	3	94	97	31	128	125	97	26	2			
	do	3	102	105	48	153	150	105	45				
	Fenelon...	3	14	17	26	43	50	17	33				
	do	1	28	29	113	142	150	29	121				
	do	3	45	48	100	148	150	48	102				
	do		48	48	73	121	125	48	77				
	do		89	89	61	150	150	89	61				
	Bexley...	3	31	34	80	114	125	34	91				
	do	3	33	36	97	133	125	36	88		1		
	Laxton...	1	41	42	25	67	100	42	58				

Laxton	....	28	28	74	102	100	28	72	......	......	......	....
Digby an Longford....	....	24	24	27	51	50	24	26	......	......	......	....
Somerville	....	67	67	109	176	150	67	83	......	......	......	....
do	5	53	58	132	190	150	58	91	......	1	......	....
do	2	79	81	97	178	175	81	94	......	......	......	....
Lutterworth	....	24	24	99	123	100	24	76	......	......	......	....
Anson and Hindon......	3	38	41	43	84	125	41	82	......	2	......	....
Snowdon	3	38	41	88	129	100	41	59	......	......	......	....
do	2	8	10	44	54	50	10	40	......	......	......	....
Minden................	....	54	54	169	223	200	54	146	......	......	......	....
do	4	7	11	59	70	100	11	89	......	......	......	....
Stanhope	7	16	23	31	54	100	23	77	......	......	......	....
do	....	12	12	73	85	50	12	38	......	......	......	....
Sherburne & McClintock	2	14	16	49	65	100	16	84	......	......	......	....
Glamorgan	12	40	52	59	111	150	52	98	......	......	......	....
Dysart, Dudley, etc.....	68	32	100	170	270	150	100	50	......	......	......	....
do	12	14	26	35	61	100	26	74	......	......	......	....
do	10	6	16	9	25	50	16	34	......	......	......	....
Monmouth.............	7	49	56	150	206	200	56	143	......	1	......	....
Cardiff	3	30	33	82	115	100	33	67	......	......	......	....
do	1	1	2	25	27	25	2	23	......	......	......	....
do	2	1	3	37	40	50	3	47	......	......	......	....
Totals............	197	1,677	1,874	3,509	5,383	5,600	1,874	3,717	4	5	......	....
Majority for Mason..	....	1,480										

SUPPLEMENTARY RETURN from the Records of the Election to the Legislative Assembly subsequent to the General Election on the Eighth day of June, 1908.

Constituency	How Elected	Candidate	Date	Returning Officer
Wellington, South	Acclamation..........	John Ransom Howitt.............	October 21st, 1910........	William Wallace White.

(*Sessional Papers, No. 50.*)

Supplementary Return

FROM

THE RECORDS OF THE ELECTION TO
THE LEGISLATIVE ASSEMBLY ON
THE 21st OCTOBER, 1910.

SIXTH REPORT

OF THE

BUREAU OF ARCHIVES

FOR THE

PROVINCE OF ONTARIO

BY

ALEXANDER FRASER
Provincial Archivist

1909

PRINTED BY ORDER OF
THE LEGISLATIVE ASSEMBLY OF ONTARIO

TORONTO:
Printed and Published by L. K. CAMERON, Printer to the King's Most Excellent Majesty
1911.

Printed by
WILLIAM BRIGGS,
29-37 Richmond Street West,
TORONTO.

To His Honour JOHN MORISON GIBSON, ESQUIRE, K.C., LL.D., &c.,
Lieutenant-Governor of the Province of Ontario.

May It Please Your Honour:

I have the pleasure to present herewith for the consideration of Your Honour the Report of the Bureau of Archives of Ontario for 1909.

Respectfully submitted,

ARTHUR J. MATHESON,

Provincial Treasurer.

Toronto, 1910.

The Honourable ARTHUR JAMES MATHESON, ESQUIRE, K.C., M.P.P.,
&c., *Treasurer of Ontario.*

Sir,—I have the honour to submit to you the following Report in connection with the Bureau of Archives for the Province of Ontario.

I have the honour to be, Sir,

Your obedient servant,

ALEXANDER FRASER,

Provincial Archivist.

Toronto, 31st December, 1909.

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> "By thee I might correct, erroneous oft, the clock of history—facts and events timing more punctual, unrecorded facts recovering, and mis-stated, setting right."
>
> —Cowper.

EX REBUS ANTIQUIS ERUDITIS ORIATUR.

Report

of the

Ontario Bureau of Archives

PREFATORY

The large number of United Empire Loyalists that settled in Upper Canada during the years immediately succeeding the close of the Revolutionary War in 1783 developed conditions to meet which the Province of Quebec was in 1791 divided into the provinces of Upper and Lower Canada. The Imperial Statute making the division is known as the Constitutional Act, 31 George III., Cap. 31.

The form of government for these Provinces was moulded on that of Britain:—A Governor-General, and for each Province a Lieutenant-Governor, an Executive Council, a Legislative Council and a Legislative Assembly, corresponding, generally, to the Crown, the Cabinet of Ministers, the House of Lords, and the House of Commons. The Lieutenant-Governor was vested with the powers of the Governor-General except when the latter was present in the Province in his official capacity, and he practically directed the policy of the Government through the Executive Council; yet from the beginning the functions of the various branches forming the Provincial Parliament were fairly well defined and carried in them the seed of representative government.

The first Lieutenant-Governor of Upper Canada was Lieut.-Colonel John Graves Simcoe. He arrived at Kingston on the 8th of July, 1792, and on the 16th of July issued a Proclamation* dividing the Province into nineteen counties, from which sixteen members of the Legislative Assembly were to be elected by the people. The Legislative Council consisted of not fewer than seven members who, as well as the members of the Executive Council, were appointed by the Crown.

The General Election for the Legislative Assembly took place in August, 1792, and Parliament met on the 17th September at Newark. The constituencies had then a population which has been placed at about 25,000 souls.

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*Ontario Archives, 1906, p. 176.

The Members of the First and Second Legislative Assemblies of Upper Canada are given by Mr. C. C. James as follows:—

Glengarry, 1st Riding	1792 to 1796	Hugh Macdonell
Glengarry, 1st Riding	1796 to 1800	Richard Wilkinson
Glengarry, 2nd Riding	1792 to 1796	John Macdonell (Speaker)
Glengarry, 2nd Riding	1796 to 1800	John Macdonell
Stormont	1792 to 1796	Jeremiah French
Stormont	1796 to 1800	Robert I. D. Gray
Dundas	1792 to	Alexander Campbell
Dundas	1796 to 1800	Thomas Fraser
Grenville	1792 to 1796	Ephraim Jones
Grenville	1796 to 1800	Edward Jessup
Leeds and Frontenac	1792 to 1796	John White
Leeds and Frontenac	1796 to 1800	Solomon Jones
Addington and Ontario	1792 to 1796	Joshua Booth
Addington and Ontario	1796 to 1798	Christopher Robinson
Addington and Ontario	1799 to 1800	William Fairfield
Prince Edward and Adolphustown	1792	Philip Dorland.*
Prince Edward and Adolphustown	1793 to 1796	Peter Vanalstine
Prince Edward and Adolphustown	1796 to 1800	David McGregor Rogers
Lennox, Hastings and Northumberland	1792 to 1796	Hazelton Spencer
Lennox, Hastings and Northumberland	1796 to 1800	Timothy Thompson
Durham, York and 1st Lincoln	1792 to 1796	Nathaniel Pettit
Durham, York and 1st Lincoln	1796 to 1800	Richard Beasley
2nd Lincoln	1792 to 1796	Benjamin Pawling
2nd Lincoln	1796 to 1800	David William Smith
3rd Lincoln	1792 to 1796	Isaac Swayzie
3rd Lincoln	1796 to 1800	Samuel Street
4th Lincoln and Norfolk	1792 to 1796	Parshall Terry
4th Lincoln and Norfolk	1796 to 1800	Benjamin Hardison
Suffolk and Essex	1792 to 1796	David William Smith
Suffolk and Essex	1796 to 1800	John Cornwall
Kent (two members)	1792 to 1796	William Macomb and Francis Baby
Kent (two members)	1796 to 1800	Thomas Smith and Thomas McKee

---

*Did not take his seat, and a new election was held.

The Seat of Government was at Newark, Upper Canada, (Niagara), and there the first Ontario Parliament held its sessions, five in number, within the four years of its full term. In 1797 and subsequent years Parliament met in York (Toronto), which had then become the capital of the Province.

The Record of the business transacted by the early Parliaments of Ontario is justly placed among the most important Archives of the Province. The Proceedings of Parliament are the Minute Book of the people, and it has been a matter of regret that those of Upper Canada have not hitherto been generally available to the growing class of students of our provincial history.

The Journals of those early sessions of the Legislature were regularly kept and there is evidence that they were ordered to be printed. That the printed copies had disappeared at an early date is also evident from the fact that no copies were known to be in existence in 1855 when the manuscript copies in London, England, were copied by Mr. Mayer for the Canadian Government. But there is a break in the set in London, the Journals for the Legislative Assembly for the years, 1794, 1795, 1796, and 1797, and also for the years 1809, 1813, and 1815 being amissing.

Various explanations have been offered to account for the disappearance of the missing volumes. It has been thought that copies were not sent from Canada to London in the usual course for these years; or that if they were sent the vessels carrying them may have been captured by French men-of-war. It is unlikely that so careful an officer as Lieutenant-Governor Simcoe would have neglected his duty in this respect; but if he had, or if the vessels had been captured by the enemy, in either case a request would have been made by the Imperial Minister for copies. There can be little doubt that all the Journals found their way to London and were inadvertently mislaid. The search for them under present-day facilities may yet bring them to light. Experience proves that though the chase for a public document may be a long one it ought rarely or never to be a hopeless one. Only a short time ago a valuable fragment of the Journals of the Legislative Assembly for 1794 was found among old papers in the Parliament Buildings by the Archivist, and while this note is being written part of the original eight-page Statutes of Upper Canada for 1792 has been found and deposited in the Archives. The originals of the missing Journals and the printed copies of them possessed by the Government were most likely destroyed when the Parliament Buildings at Toronto were burned by the United States forces in 1813. The copies possessed by officials and public men, of which there would, probably, be a considerable number, if, indeed, they were printed, as seems likely, have disappeared in the natural process of time, a fact which well illustrates the evanescent character of records—even the most important—unless proper methods are provided for their preservation after they have passed out of current official use.

The Journals here given were copied from the manuscript copies in the Parliamentary Library, Ottawa, and are designed as a first instalment of these papers. They cover the years 1792, 1793, partly 1794, 1798, 1799, 1800, 1801, 1802, 1803, and 1804—embracing the three first Parliaments of Upper Canada.

ALEXANDER FRASER,

PROVINCIAL ARCHIVIST.

The Journals

OF THE

LEGISLATIVE ASSEMBLY

OF

Upper Canada

FOR THE YEARS

1792, 1793, 1794 (partly), 1798, 1799, 1800, 1801, 1802,
1803, 1804

VOLUME ONE

Ontario Archives, 1909

Journal and Proceedings

OF THE

HOUSE OF ASSEMBLY

OF THE

Province of Upper Canada

1792

Journal and Proceedings

OF THE

HOUSE OF ASSEMBLY

OF THE

Province of Upper Canada,

1792.

House of Assembly,
Newark, Monday 17th. September 1792.

The House being met, all the Members were severally sworn in by William Jarvis, Esquire, who acted by special Commission from His Excellency.

The House having proceeded to the election of their Speaker: John Macdonell Esquire, one of the members for the County of Glengarry, was unanimously elected to be the Speaker.

A message from His Excellency requiring the attendance of the House in the Council Chamber.

The House attended accordingly, and being returned Mr. Speaker reported that His Excellency was pleased to make the following speech to both Houses.

Honourable Gentlemen of the Legislative Council and Gentlemen of the House of Assembly:

I have summoned you together under the authority of an Act of Parliament of Great Britain passed in the last year, which has established the British Constitution and all the forms which secure and maintain it in this distant country.

The wisdom and beneficence of Our Most Gracious Sovereign and the British Parliament have been eminently proved, not only in imparting to us the same form of Government but in securing the benefit by the many provisions which guard this memorable Act so that the blessings of our invaluable Constitution thus protected and amplified, we hope will be extended to the remotest posterity.

The great and momentous Trusts and Duties which have been committed to the Representatives of this Province, in a degree infinitely beyond whatever till this period have distinguished any other Colony, have originated from the British Nation upon a just consideration of the energy and hazard with which the inhabitants have so conspicuously supported and defended the British Constitution.

It is from the same Patriotism now called upon to exercise, with due deliberation and foresight, the various offices of the Civil Administration that your fellow subjects of the British Empire expect the foundation of Union, of Industry and Wealth, of Commerce and Power, which may last through all succeeding ages.

The natural advantages of the Province of Upper Canada are inferior to none on this side of the Atlantic; there can be no separate interest through its whole extent; the British form of Government has prepared the way for its speedy colonization and I trust that your fostering care will improve the favourable situation, and that a numerous and Agricultural people will speedily take possession of a soil and climate which, under the British Laws and the munificence with which His Majesty has granted the lands of the Crown, offer such manifest and peculiar encouragements.

The House adjourned till 10 o'clock to-morrow morning.

Tuesday 18th. September 1792.

On motion and seconded,

Ordered that Mr. White and Mr. Jones wait upon His Excellency to know when he will be pleased to receive the House that the Speaker may be presented for his approbation.

On motion made and seconded,

The House resolved itself into a Committee to consider His Excellency's speech and prepare an address in answer thereto—Mr. Smith in the Chair.

The Speaker resumed the Chair.

The Chairman reported the draft of an address in answer to His Excellency's speech, and the said Address being read was agreed to and ordered to be engrossed.

The Committee appointed to wait upon His Excellency to know when he will be pleased to receive the House that their Speaker may be presented for his approbation—reported—

That His Excellency will receive the House immediately.

The House waited upon His Excellency accordingly.

The Speaker reported that His Excellency had been pleased to approve of the Speaker chosen by the House and to promise that the Members of the House shall enjoy freedom of debate, access to the person of His Excellency, and be privileged from arrest.

The Address of the House in answer to His Excellency the Lieutenant Governor's speech was read as engrossed, and the same being agreed to was ordered to be signed by the Speaker, and is as follows, to wit:—

"To His Excellency John Graves Simcoe, Esquire,

"Lieutenant Governor and Colonel commanding His Majesty's Forces in the Province of Upper Canada, &c. &c.

"The Humble Address of the House of Assembly—

May it please Your Excellency:—

We the Representatives of the Commons of the Province of Upper Canada in General Assembly convened most sensibly flattered by the strong testimony of His Majesty's paternal tenderness for the new Province in the choice he has graciously been pleased to make of Your Excellency to preside over its infant progress, beg leave to congratulate Your Excellency, as we do ourselves, on so distinguished a mark of the Royal favour.

We anticipate the personal satisfaction of all His Majesty's loyal subjects in this extended settlement in finding their political interests and military protection confided to the united character of a British Senator Soldier, and we beg leave to assure Your Excellency that our personal endeavours shall not be wanting to render the satisfaction mutual; if it may depend on a steady and uniform support of every measure which shall tend to strengthen our union with the present Kingdom, and add our mite to its splendour and glory,"

Ordered that Mr. Smith and Mr. Hugh Macdonell wait on His Excellency to know when His Excellency will be pleased to receive the House with the said Address.

Ordered, on motions made and seconded that nine Members shall be a sufficient number to constitute a House. Also that every Bill shall be read three times before it is sent to the Honorable Legislative Council for concurrence. Also that a Bill of a private nature be presented by Petition, of a public nature by motion. Also That on a Committee of the House the Speaker leave the Chair. Also that a Member intending to move any question give a day's previous notice. Also that a petition being presented be ordered to lie on the Table at least two days. Also, That when the Speaker puts the question the House be cleared.

The Committee appointed to wait upon His Excellency to know when he will be pleased to receive the House with their Address in answer to His Excellency's Speech—Reported—

That His Excellency will receive the House immediately—

The House waited upon His Excellency with the said Address to which His Excellency was pleased to make the following answer.

Gentlemen:—

I am much obliged by the expressions of loyalty to His Majesty's Government contained in your answer to my Speech, and am highly gratified in the confidence you repose in my appointment to the administration of the Government of Upper Canada.

The House adjourned until to-morrow morning at 10 o'clock.

Wednesday, 19th. September, 1792.

Prayers by the Reverend Mr. Addison.

On motion made and seconded,

Ordered, That a certain written Instrument signed Philip Dorland, laid before the House for their consideration by the Secretary of the Province, be read.

Which Instrument was read accordingly and is as follows, to wit:—

"To all whom these Presents may concern Philip Dorland of Adolphustown in the County of Lennox sendeth greeting—

Whereas by a certain Writ under the Great Seal of this Province of Upper Canada, bearing date on or about the 16th. day of July 1792, and directed to the Returning Officers of the County of Prince Edward and District of the Township of Adolphustown he is thereby required to send one Knight girt with a sword the most fit and discreet to represent the said County.

And whereas due and legal notice had been given the said Returning Officer, in obedience to the said writ, proceeded to the election of one Knight or Representative of the said County of Prince Edward, together with the District of the late Township of Adolphus on the 21st. day of August, at which time and place the said Philip Dorland was declared by the said Returning Officer to have been duly elected by a majority of the Freeholders then and there present having a right to vote for the said County and District, and in confirmation thereof certain indentures were entered into and duly executed by and between divers of the Freeholders of the County of Prince Edward and said District and the Returning Officer aforesaid as in and by the said Indentures will more fully appear.

Now know ye that I the said Philip Dorland having since the said elections and returns as aforesaid seen and read a certain Act of Parliament intituled an Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's reign, intituled an Act for making more effective provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province whereby it is enacted that no Member either of the Legislative Council or Assembly shall be permitted to sit or vote therein until he have taken and subscribed a certain oath therein set forth. *And whereas* from the religious principles I profess (being one of the persons commonly called Quakers) I do not feel myself at liberty nor can I conscientiously take an oath in the form and manner usually prescribed although I would readily affirm and subscribe a declaration to the purpose and effect therein set forth, *And Whereas* I have reason to believe that in consequence of such my scruples and refusal to comply with the form therein directed I should not be permitted to sit or vote in the said House of Assembly, I the said Philip Dorland have in the presence of the said Returning Officer signed, sealed and executed these presents and declaration and have requested the said Returning Officer to annex the same to the returns and Indentures aforesaid in order that if an affirmation cannot be accepted of in lieu of the form of the oath that the said House of Assembly may direct a new Writ to be issued for the said County and District aforesaid or to take such steps in the premises as to their wisdom is seem meet.

(Signed) PHILIP DORLAND, L.S.

Signed and sealed
in the presence of

(Signed) JOHN PETERS, *Returning Officer.*

Ordered, That the Speaker direct a new Writ to be issued for the said County and District, aforesaid Philip Dorland, Esquire, being declared incompetent to sit or vote in the House without having taken and subscribed the Oath set forth in the Act of Parliament aforesaid in the manner and form therein specified.

Mr. Jones moved for leave to bring in a Bill "To Authorize Town Meetings for the purpose of appointing divers Parish Officers."

Leave was given.

The House adjourned till Eleven o'clock on Friday next.

Friday 21st. September 1792.

Prayers by the Reverend Mr. Addison appointed Chaplain.

Mr. Jones moved for leave to bring in a Bill to establish Trials by Jury.

Leave was given.

On Motion made and seconded, Ordered that Mr. Smith, Mr. Macomb, Mr. French and Mr. Campbell be a Committee to assess and regulate the sums to be paid as salaries to the several Officers employed by the House.

The House adjourned for one hour.

The Speaker resumed the Chair.

The Committee appointed to regulate and assess the sums to be paid as salaries to the several Officers employed by the House Reported that they had gone into the consideration of the sums to be paid to the said officers as salaries and allowed—

To the Clerk of the House Ninety one Pounds five shillings Quebec currency per annum—

To the Sergeant at Arms of the House Forty-five pounds twelve shillings and six pence Quebec currency per annum.

To the Doorkeeper of the House Ten pounds Quebec currency per annum.

Ordered, That the said Report be accepted.

The House adjourned till Monday next at Eleven o'clock.

Monday 24th. September 1792.

Prayers.

The Order of the Day being read

A Bill intituled "Act to establish Trials by Jury"

Was read the first time.

Ordered to be read again to-morrow.

Mr. Smith moved for leave to bring in a Bill to raise the necessary supplies for the discharge of such Public Debts as are or may be contracted by this House.

Leave was given.

Mr. Jones moved for leave to bring in a Bill to encourage the destroying of wolves.

Leave was given.

On Motion made and seconded

Ordered, That the Officers of the House be specially sworn.

Mr. French moved for leave to bring in a Bill for the better regulation of Surveyors their fees and jurisdiction.

Leave was given.

On motion made and seconded

Ordered, That Mr. Macomb, Mr. French, Mr. Pawling, Mr. Campbell, Mr. Pettit and Mr. Spencer be a Committee to go into the consideration of the most effectual means of preventing persons not duly qualified from practising Physic.

On Motion made and seconded

Ordered, That Mr. Macomb, Mr. Smith, Mr. Jones, Mr. Spencer, Mr. Baby, Mr. Campbell and Mr. Pettit be a Committee to go into the consideration of the ways and means of raising the necessary supplies.

The House adjourned until to-morrow morning at Eleven o'clock.

Tuesday 25th. September 1792

On Motion made and seconded

Ordered, That the Clerk read a list of the Members' names on the Speaker taking the Chair, and mark the names of those present in order to ascertain if the number be sufficient to form a House.

On motion made and seconded

Ordered, That the Clerk shall give timely notice to the Chaplain of such days as the House expect his attendance to read prayers—to wit, after adjournments of one or more days.

The Committee appointed to go into the consideration of the ways and means of raising the necessary supplies reported

That they have gone into the consideration of the ways and means of raising the necessary supplies and prepared Bills accordingly.

Which Report was accepted.

Ordered, That the said Bills be read.

A Bill laying a duty on the Retailers of Spirituous Liquors and Wines

Was read accordingly.

Ordered, That the said Bill be read a second time on Monday next.

A Bill laying a duty on all goods sold by Public Auction.

Was also read accordingly.

Ordered, That the said Bill be read a second time on Monday next.

A Bill to prevent Smuggling

Was also read accordingly.

Ordered, That the said Bill be read a second time on Monday next.

The Committee appointed to go into the consideration of the most effectual means for preventing persons not duly qualified from practising Physic—Reported

That they do not think it advisable to lay the practice of Physic under any restrictions in the infant state of this Province.

The Order of the Day being read

A Bill to establish Trials by Jury was read a second time, and ordered to be committed.

House in Committee.

Mr. Smith in the Chair.

The Speaker resumed the Chair.

The Chairman Reported

That the Committee had gone into the consideration of the said Bill, and had directed him to report a progress, and requested leave to sit again.

Ordered, That the said Report be accepted.

A Bill to authorize Town meetings was read the first time.

Ordered to be read again on Thursday next.

A Bill for the better regulation of surveyors, their fees and jurisdiction was read the first time.

Ordered, that the said Bill be read again on Thursday next.

A Bill to encourage the destroying of wolves was read the first time.

Ordered, That the said Bill be read again on Thursday next.

The House adjourned until to-morrow morning at eleven o'clock.

Wednesday 26th. September 1792.

Mr. Campbell moved for leave to bring in a Bill to establish the Winchester Measure and a Standard for other weights and measures.

Leave was given.

The Order of the Day being read

The House went again into Committee on the consideration of the Bill to establish Trial by Jury.

Mr. Spencer in the Chair.

Mr. Speaker resumed the Chair.

The Chairman Reported

That the Committee had again taken the said Bill into consideration—and agreed to the same without amendments.

Which Report was accepted

And the said Bill was ordered to be engrossed and read again to-morrow.

Angus Macdonell was sworn in as Clerk to the House.

George Law was also sworn in as Sergeant At Arms to the House.

A message from the Honorable Legislative Council with a Bill to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign intituled An Act for making more effectual provision for the Government of the Province of Quebec in North America and to introduce the English Laws as the rule of decision in all matters of controversy and civil rights

Which Bill was read the first time

Ordered, That the said Bill be read again on Saturday next.

Mr. Smith moved for leave to bring in a Bill for the decision of Actions at Law not exceeding forty shillings Quebec currency by the determination of two Justices of the Peace without appeal.

Leave was given accordingly.

Ordered, That the House go into Committee to-morrow on the consideration of the ways and means of raising a Revenue.

The House adjourned until to-morrow morning at Eleven o'clock.

Thursday 27th. September 1792.

The Order of the Day having been read

A Bill to authorize Town Meetings &c. was read a second time.

Ordered, That the further consideration of the said Bill be postponed for three months.

A Bill for the better regulation of Surveyors their fees and jurisdiction

Was read a second time.

Ordered, That the said Bill be committed.

House in Committee.

Mr. Spencer in the Chair.

The Speaker resumed the Chair.

The Chairman reported that it was the opinion of the Committee that the further consideration of the said Bill should be postponed for three months.

Ordered, That the said Report be accepted.

A Bill to encourage the destroying of Wolves
Was read a second time.

Ordered, That the said Bill be committed.
House in Committee
Mr. Macomb in the Chair.

The Chairman Reported

That the Committee had gone into consideration of the said Bill to encourage the destroying of Wolves, and had agreed to the same with amendments,
Which Report was accepted.

Ordered, That the said Bill be read a third time with amendments on Tuesday next.

A Bill to establish the Winchester Measures and a
Standard for other weights and measures was read the first time.

Ordered, That the said Bill be read again on Saturday next.

Read the third time as engrossed a Bill to establish Trials by Jury in the Province of Upper Canada.

Ordered, That the said Bill pass and be sent up for concurrence.

A Bill for the decision of Actions at Law not exceeding forty shillings Quebec Currency by the determination of two Justices of the Peace without appeal
Was read the first time.

Ordered, That the said Bill be read again to-morrow.

Ordered, That the order for going into a Committee of the Whole House on the consideration of the ways and means of raising a Revenue
Stand over for to-morrow.

The House adjourned until to-morrow morning at eleven o'clock.

Friday 28th. September 1792.

Mr. Spencer moved for leave to bring in a Bill to authorize the Justices of the Peace to appoint annually divers Public Officers.
Leave was given accordingly.

Mr Spencer moved for leave to bring in a Bill for the better regulation of His Majesty's Highways.
Leave was given accordingly.

The Order of the Day being read

A Bill for the decision of Actions at Law not exceeding Forty Shillings Quebec currency by the determination of two
Justices of the Peace without appeal
Was read a second time.

Ordered, That the said Bill be committed.
House in Committee.
Mr. Spencer in the Chair.

Took into consideration a Bill for the decision of Actions at Law not exceeding forty Shillings Quebec currency by the determination of two Justices of the Peace without appeal.

The Speaker resumed the Chair.
The Chairman Reported

That the Committee had gone into consideration of the said Bill and had agreed to the same with amendments

Which report was accepted.

Ordered, That the said Bill be engrossed as amended and read a third time to-morrow.

House in Committee.

Mr. Campbell in the Chair

Went into the consideration of the ways and means of raising a Revenue.

The Speaker resumed the Chair

The Chairman reported

That the Committee had gone into the consideration of the ways and means of raising a Revenue and had prepared a Bill accordingly.

Ordered, That the said Bill be read.

A Bill for laying a duty on Wine and Distilled Spirits brought into this Province

Was read the first time.

Ordered, That the said Bill be read again on Tuesday next.

Saturday 29th. September 1792.

Mr. Smith moved for leave to bring in a Bill to enable the Magistrates in their several Districts in Quarter Sessions assembled to raise monies for the building of Gaols and Court-Houses.

Leave was given accordingly.

Mr. Smith moved for leave to bring in a Bill to prevent accidents by Fire.

Leave was given accordingly.

On motion made and seconded

Ordered, That Mr. Colin McNabb as Preventative Officer be ordered to attend at the Bar of the House to-morrow to give information respecting the Contraband Trade carried on in this District as far as the same has come within his knowledge.

Mr. Campbell moved for leave to bring in a Bill to regulate the Toll to be taken in Mills.

The Order of the Day being read

Read a Bill to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign intituled an Act for making more effectual provision for the Government of the Province of Quebec in North America and to introduce the English Laws as the rule of decision in all matters of controversy and civil rights, sent down from the Honorable Legislative Council for concurrence.

Ordered that the said Bill be read a third time on Monday next.

A Bill for establishing the Winchester Measure and a Standard for other weights and measures

Was read the second time.

Ordered, That the said Bill be committed.

House in Committee

Mr. Macomb in the Chair.

Went into consideration of a Bill to establish the Winchester measure and a Standard for other weights and measures.

The Speaker resumed the Chair.

The Chairman Reported.

That the Committee had gone into the consideration of the said Bill and agreed to the same with amendments.

Ordered, That the said report be accepted and that the said Bill be engrossed as amended and read a third time on Monday next.

A Bill to authorize the Justices of the Peace to appoint annually divers Public Officers

Was read the first time.

Ordered, That the said Bill be read a second time on Wednesday next.

A Bill for the better regulation of His Majesty's Highways

Was read a first time.

Ordered, That the said Bill be read a second time on Tuesday next.

Ordered, That the third reading of a Bill for the decision of Actions at Law not exceeding Forty Shillings Quebec currency by the determination of two Justices of the Peace without appeal be postponed until Monday next.

The House adjourned until Monday next at eleven o'clock.

Monday 1st. October 1792.

Prayers.

The Order of the Day being read

A Bill laying a duty on the Retailers of Spirituous Liquors and Wines

Was read a second time.

Ordered on motion made and seconded, That the further consideration of the said Bill be postponed for three months.

A Bill to prevent Smuggling

Was read a second time

Ordered, That the said Bill be committed.

House in Committee

Mr. Jones in the Chair

Went into consideration of the Bill to prevent smuggling.

The Speaker resumed the Chair

The Chairman Reported

That the Committee had gone into the consideration of the said Bill and directed him to report that it was their opinion that the further consideration of the said Bill should be postponed for three months.

Ordered, That the Report be accepted.

A Bill to enable the Magistrates in their respective Districts to raise certain rates for building Gaols and Court Houses

Was read the first time.

Ordered, That the said Bill be read a second time to-morrow.

A Bill to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign intituled An Act for making more effectual provision for the Government of the Province of Quebec in North America and to introduce the English Laws as the rule of decision in all matters of controversy and Civil Rights

Was read a third time.

Ordered, That the House concur in the same, and that it be returned to the Honorable the Legislative Council.

A Bill for the decision of Actions at Law not exceeding Forty Shillings Quebec currency by the determination of two Justices of the Peace without appeal

Was read the third time.

Ordered, That the said Bill pass and be sent up for concurrence.

A Bill to prevent accidents by fire was read the first time.

Ordered, to be read again on Tuesday next.

A Bill to regulate the Toll to be taken in Mills

Was read the first time.

Ordered, That the said Bill be read again to-morrow.

The House adjourned until to-morrow morning at Eleven o'clock.

Tuesday 2nd. October 1792.

The Order of the Day being read

A Bill laying a duty upon all goods sold at Auction was read the second time.

Ordered, That the same be committed.

House in Committee

Mr. Jones in the Chair

Went into the consideration of a Bill laying a duty upon all goods sold at Public Auction.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill and had agreed to the same with amendments

Which report was accepted.

Ordered, That the said Bill be engrossed as amended, and read a third time on Thursday next.

A Bill to encourage the destroying of Wolves

Being read a third time

Ordered, on motion made and seconded, That the further consideration of the said Bill be postponed for three months.

A Bill for laying a Duty upon Wine and Distilled Spirits brought into this Province

Was read the second time.

Ordered, That the same be engrossed and read a third time on Thursday next.

A Bill for the better regulation of His Majesty's Highways

Was read the second time.

Ordered, That the said Bill be committed.

House in Committee

Mr. Macomb in the Chair

Went into the consideration of a Bill for the better regulation of His Majesty's Highways.

The Speaker resumed the Chair.

The Chairman reported Progress and begged leave to sit again.

Ordered, That the said Report be accepted.

A Bill empowering the Magistrates in their respective Districts to raise certain rates for building Gaols and Court Houses

Was read a second time.

Ordered, on motion made and seconded, That the further consideration of the said Bill be postponed for three months.

A Bill to prevent accidents by fire was read a second time.

Ordered, That the said Bill be engrossed and read a third time on Thursday next.

A Bill to regulate the Toll to be taken in Mills

Was read a second time.

Ordered, That the said Bill stand committed for to-morrow.

Mr. Jones moved for leave to bring in a Bill to authorize the election of divers Public Officers.

Leave was given.

The House adjourned until to-morrow morning at eleven o'clock.

Wednesday 3rd. October 1792.

Mr. Campbell moved for leave to bring in a Bill to regulate the custom of allowing Swine and Cattle to range.

Leave was given accordingly.

Mr. French brought up by leave a Petition from the inhabitants of the River Raisin.

Ordered to lie on the Table.

The Order of the Day being read

A Bill to authorize the Justices of the Peace to appoint annually divers Public Officers

Was read a second time.

Ordered, That the said Bill be committed.

House in Committee.

Mr. Jones in the Chair

Went into the consideration of a Bill to authorize the Justices of the Peace to appoint annually divers Public Officers.

The Speaker resumed the Chair.

The Chairman reported that the Committee had agreed to the said Bill with amendments

Which Report was accepted.

Ordered, That the said Bill be engrossed as amended, and read a third time on Friday next.

House in Committee.

Mr. Jones in the Chair

Went again into the consideration of a Bill for the better regulation of His Majesty's Highways.

The Speaker resumed the Chair.

The Chairman Reported

That the Committee had gone into the consideration of the said Bill and agreed to the same with amendments

Which Report was accepted.

Ordered, That the said Bill be engrossed as amended and read a third time on Saturday next.

House in Committee.

Mr. Jones in the Chair

Went into the consideration of a Bill to regulate the Toll to be taken in Mills.

The Speaker resumed the Chair.

The Chairman Reported that the Committee had gone into the consideration of the said Bill and agreed to the same with amendments

Which Report was accepted.

Ordered, That the said Bill be engrossed as amended and read a third time on Saturday.

The House adjourned until to-morrow morning at eleven o'clock.

Thursday 4th. October 1792.

The Order of the Day being read

A Bill for laying a duty upon Wine and Distilled Spirits brought into this Province

Was read as engrossed.

Ordered, That the said Bill pass and be sent up for concurrence.

On Motion made and seconded

Ordered, That the third reading of a Bill laying a duty upon all goods sold at Public Auction stand over for to-morrow.

The House adjourned for one hour.

The Speaker resumed the Chair.

A Petition from Samuel Thompson, Esquire, was brought up by leave, which was read and

Ordered, That Mr. French, Mr. Campbell, Mr. Swayzie, and Mr. Jones be a Committee to go into the consideration of the said petition and to report thereupon.

The House adjourned until to-morrow morning at eleven o'clock.

Friday 5th. October 1792.

The Order of the Day being read

On Motion made and seconded

Ordered, That the third reading of a Bill to authorize the Justices of the Peace to appoint annually divers Public Officers stand over for Monday next.

On motion made and seconded

Read by Order a Petition brought up by Mr. French from the inhabitants of River Raisin as follows—

to wit:—

To the Honorable

The House of Representatives

The Humble Petition of the inhabitants of the River Aux Raisins in the County of Stormont

Humbly Sheweth

That Your Petitioners labour under very great and grievous disadvantages from the navigation of this River being obstructed by Mills and Timber which deprives Your Petitioners of the convenience of transporting their produce by water to the Lake, and likewise the benefits arising from the fish which formerly swarmed in this River previous to the erection of Mills.

Your Petitioners likewise beg leave to represent the necessity of a land communication with Lower Canada as laid out by Mr. Penoyer except in place of falling in upon the River St. Lawrence at Coteau du Lac, to strike in a straight course to the Ferry at Quinze Chiens, opposite St. Ann's on the Island of Montreal, which would not only shorten the distance by several leagues, but likewise render travelling safe and commodious at all Seasons.

Your Petitioners therefore humbly pray that their case may be taken into consideration and such redress granted as your wisdom may see fit.

And Your Petitioners as in duty bound will ever pray &c.

Signed by eighty-two principal inhabitants.

Which Petition being read

Ordered, That the same be rejected.

The House adjourned for one hour.

The Speaker resumed the Chair.

A Message from the Honorable the Legislative Council with a Bill to prevent accidents by fire as sent from the Honorable Legislative Council with amendments, Which being read by order the House concurred in the amendments and ordered the Bill to be returned to the Honorable Legislative Council.

Also, with a Bill to establish Trials by Jury as sent from the Honorable Legislative Council with amendment

Which being read by Order

The House concurred in the Amendment, and ordered the Bill to be returned to the Honorable Legislative Council.

Also

With a Bill to establish the Winchester Measure and a Standard for other Weights and Measures, as sent from the Honorable Legislative Council with Amendments—

Which being read by Order

The House concurred in the amendments and ordered the Bill to be returned to the Honorable Legislative Council.

Also

With a Bill for the more easy and speedy recovery of Small Debts as sent from the Honorable Legislative Council with Amendments.

Which being read by Order

The House concurred in the Amendments and ordered the Bill to be returned to the Honorable Legislative Council.

Also

With a Bill for building a Gaol and Court House in every District within this Province, and for altering the names of the said Districts

Which Bill was read the first time.

Ordered, That the same be read again to-morrow.

Also

With a Bill to abolish the Summary Proceedings of the Courts of Common Pleas in Actions under Ten Pounds Sterling.

The House adjourned until to-morrow morning at half an hour after nine o'clock.

Saturday 6th. October 1792.

The Order of the Day being read

The Committee appointed to take into consideration the Petition of Samuel Thompson, Esquire, reported

That they had gone into the consideration of the same accordingly, and were of opinion that the same should be rejected as frivolous.

Ordered, That the said Report be accepted.

A Bill to regulate the Toll to be taken in Mills was read a third time as engrossed.

Ordered, That the said Bill pass and be sent up for concurrence.

A Bill to lay a Duty upon all the Goods sold by Public Auction was read a third time as engrossed.

Ordered, That the said Bill pass and be sent up for concurrence.

On motion made and seconded

Ordered, That the third reading of a Bill for the better regulation of His Majesty's Highways be postponed until Monday next.

A Bill for building a Gaol and Court House in every District within the Province, and for altering the names of the said Districts

Was read a second time.

Ordered, That the said Bill stand committed for Monday next.

A Bill to abolish the Summary Proceedings in the Courts of Common Pleas in Actions under Ten Pounds Sterling

Was read a second and a third time.

The House concurred in the said Bill, and ordered that the same be returned to the Honorable Legislative Council.

The House adjourned until Monday next at Eleven o'clock.

Monday 8th. October 1792

The Order of the Day being read

A Bill for the better regulation of His Majesty's Highways was read as engrossed.

Ordered, That the said Bill pass, and be sent up for concurrence.

House in Committee.

Mr. Spencer in the Chair

Went into the consideration of a Bill for building a Gaol and Court House in every District within this Province, and for altering the names of the said Districts.

The Speaker resumed the Chair.

The Chairman reported, That the Committee had gone into the consideration of the said Bill and had made a progress therein, and requested leave to sit again.

Ordered, That the said Report be accepted.

On Motion made and seconded

Ordered, That the third reading of a Bill to authorize the Justices of the Peace to appoint annually divers Public Officers be postponed until the third day of the next Sessions.

The House adjourned until to-morrow at noon.

Tuesday 9th. October 1792

The Order of the Day being read

House in Committee

Mr. Pettit in the Chair

Went into the consideration of a Bill for building a Gaol and Court House in every District within this Province, and for altering the names of the said districts.

The Speaker resumed the Chair.

The Chairman Reported

That the Committee had gone into the consideration of the said Bill, and had directed him to report progress, and requested leave to sit again.

Ordered, That the said Report be accepted.

House adjourned until to-morrow at noon.

Wednesday 10th. October 1792

House in Committee

Mr. Spencer in the Chair.

Went again into the consideration of a Bill for building a Gaol and Court House in every District within this Province, and for altering the names of the said Districts.

The Speaker resumed the Chair

The Chairman reported

That the Committee had gone into the consideration of the said Bill, and has concurred in the same without amendment.

Ordered, That the said Report be accepted and that the said Bill be returned to the Honorable Legislative Council.

On Motion made and seconded

Ordered, That the Clerk of the House take the proper means of procuring the best information he can obtain respecting the quantities and varieties of merchandise imported or brought into this Province since the appointment of the Superintendents of Inland Navigation, and lay the same information before the House when thereunto required next Session.

On Motion made and seconded

Ordered, That eight Members and the Speaker shall form and constitute a House.

The House adjourned until to-morrow at Noon.

Thursday 11th. October 1792

A Message from the Honorable Legislative Council with a Bill returned with Amendments.

A Bill to regulate the Toll to be taken in Mills was accordingly read as amended.

Ordered, That Mr. Smith, Mr. Hugh Macdonell, be a Committee to request a Conference with the Honorable the Legislative Council respecting the said amendments.

The House adjourned until to-morrow at Noon.

Friday 12th. October 1792

The Order of the Day being read

The Committee appointed to request a Conference with the Honorable the Legislative Council respecting the amendments made in the Bill to regulate the toll to be taken in Mills reported,

That they had waited accordingly upon the Honorable the Legislative Council, and that the Speaker thereof informed them that the Honorable the Legislative Council accepted with readiness the proposed Conference.

Which Report was accepted.

A Message from the Honorable Legislative Council informing that a Committee from their House was ready to confer with this House respecting the amendments in the Bill to regulate the toll to be taken in Mills.

Ordered, That Mr. White, Mr. Macomb, and Mr. Jones be a Committee for the said purpose.

The House adjourned for half an hour.

The Speaker resumed the Chair.

The Committee appointed to confer with a Committee of the Honorable Legislative Council respecting the parts of the amendments made in the Bill for regulating the Toll to be taken in Mills found objectionable by this House

Reported, That the Committee of the Honorable Legislative Council had concurred with them in the alterations required.

Which Report was accepted.

And the said Bill being read as last amended

Ordered, That the same pass and be returned to the Honorable Legislative Council.

On Motion made and seconded

Ordered, That the Speaker give orders for having imported from England such articles of Stationery as the House may have occasion to use, and cannot be procured as yet in this Province.

The House adjourned until Monday next at Ten o'clock in the morning.

Monday 15th. October 1792

Prayers and a Sermon.

A Message from His Excellency the Lieutenant Governor requiring the attendance of the House in the Council Chamber.

The House having attended accordingly

His Excellency was pleased to give his assent to the following Acts—to wit:—

An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign intituled An Act for making more effectual provision for the Government of the Province of Quebec in North America and to introduce the English Laws as the rule of decision in all matters of Controversy and Civil Rights.

An Act to establish Trial by Jury.

An Act to prevent Accident by Fire in this Province.

An Act to abolish the Summary Proceedings of the Courts of Common Pleas in Actions under Ten Pounds Sterling.

An Act for the more easy and speedy recovery of Small debts.

An Act to establish the Winchester Measure and a Standard for other Weights and Measures throughout this Province.

An Act for building a Gaol and Court House in every District within this Province, and for altering the names of the said Districts—and

An Act to regulate the Toll to be taken in Mills.

After which His Excellency was pleased to make the following Speech to both Houses.

Honorable Gentlemen of the Council
and
Gentlemen of the House of Assembly

It is with very great satisfaction that I have considered the Acts which you have found it expedient to frame, and to which, in consequence of the power delegated to me, I have this day given my assent that they shall become Laws of the Province of Upper Canada.

As the division which His Majesty in his wisdom thought proper to make of the late Province of Quebec obviated all inconveniences and laid the foundation for the establishment of the English Laws within this Province it is natural to presume that you would seize the first opportunity to impart that benefit to your fellow subjects, and by the Act to establish Trials by Jury, and by that which makes the English Laws the rule of decision in all matters of controversy relative to property and Civil Rights you have fully justified the public expectation.

His Majesty in His benevolence having directed a seventh from such lands as shall be granted to be reserved to the Crown for the Public benefit, it will become my duty to take those measures which shall appear to be necessary to fulfil his gracious intentions, and I make no doubt but that as Citizens and Magistrates you will give me every assistance in your power to carry into effect fully a system from which the Public and Posterity must derive such peculiar advantages.

Honorable Gentlemen—and Gentlemen.

I cannot dismiss you without earnestly desiring you to promote by precept and example among your respective Counties the regular habits of piety and morality, the surest foundations of all public and private felicity, and at this juncture I particularly recommend to you to explain that this province is singularly blessed, not with a mutilated Constitution, but with a Constitution which has stood the test of experience, and is the very image and transcript of that of Great Britain, by which she has long established and secured to her subjects as much freedom and happiness as it is possible to be enjoyed under the subordination necessary to civilized Society.

And then the Speaker of the Honorable Executive Council declared, by His Excellency's command, both Houses to be prorogued to Monday the Thirty-first day of December next.

[Certified to be a true copy

(Signed) George Mayer

Librarian and Keeper of Records.]

Journals and Votes

OF THE

HOUSE OF ASSEMBLY

OF THE

Province of Upper Canada

1793

Journal and Votes

OF THE

HOUSE OF ASSEMBLY

OF THE

Province of Upper Canada,

1793.

House of Assembly,
Newark, Friday 31st. May 1793.

The General Assembly having been prorogued to this day the House met accordingly.

A Message from His Excellency requiring the attendance of the House in the Council Chamber.

The House attended accordingly, and, being returned, Mr. Speaker reported that His Excellency had been pleased to make the following Speech to both Houses:—

Honorable Gentlemen of the Legislative Council and Gentlemen of the House of Assembly:—

The persons who at present exercise the Supreme Authority in France having declared war against His Majesty, I think it proper to recommend to your early attention the new modelling of a Militia Bill, which the more urgent business of the last Session prevented you from accomplishing.

I have the firmest reliance that it will be framed in a manner suitable to the principles of the British Constitution so as to unite the interest and convenience of individuals with an establishment necessary to the Public Protection.

It is with great satisfaction I am able to communicate to you that the insidious attempts of those who envy the prosperity of the British Nation, or are avowedly disaffected to the principles of its Constitution, have been completely counteracted and defeated by the wisdom of His Majesty's Councils, and by the affectionate attachment and spirited resolves of all ranks and descriptions of His Majesty's Subjects; and it is manifest that upon this important occasion Britons have acted with that unanimity and loyalty which might be expected from men who know how to estimate the vain assumptions of innovators, and from the virtue, the wisdom, the struggles and experiences of their ancestors inherit those Civil and Religious Blessings which are derived under a free Constitution, equally abhorrent of Absolute Monarchy, arbitrary Aristocracy, or tyrannical Democracy.

The principles on which those who exercise authority over the French Nation support the War which they have so unjustly begun against His Majesty's Allies cannot fail to call to your recollection how often it has been necessary for Great

Britain to stand forth as the protector of the Liberties of mankind, and we may entertain a pious confidence that under the guidance of the Almighty Giver of all Victory His Majesty's arms, directed to the security of His Allies, will ultimately be crowned with success, and that it will be the felicity of the British Empire to maintain the independency of Europe against all modern aggressions upon those equitable principles which our Ancestors so wisely contributed to establish.

I am happy to congratulate you upon the success which has attended His Majesty's arms in the protection of His Allies in the East Indies; and I am sure you will readily concur in the observation that a War which has been carried on with consummate vigour and ability under the conduct of Marquis Cornwallis, so prosperous and decisive in its events should be tormented with such Justice and moderation is a fresh proof to the Universe of that magnanimity which has so long characterized the British Nation.

Honorable Gentlemen—and Gentlemen,

I have to recommend to you to proceed in that laudable course of unanimity with which you have begun your Legislative Functions, and to continue all your consultations to advance the interests and happiness of this Colony by making those provisions for the due support of Public Justice, for the encouragement of morality, and the punishment of crime, which are necessary to the existence of Society.

In all these measures that may promote the real welfare of His Majesty's Subjects in this Country which may tend to the most intimate union with every part of the British Empire you cannot fail of meeting with His Majesty's paternal and beneficent approbation, and you may always be assured that my best endeavours will always be exerted to forward the public prosperity, not only from the duty which I owe to the King, but from the most sincere attachment which I bear to the Inhabitants of this Province.

The House being returned and His Excellency's Speech read

The House went into Committee

Mr. Jones in the Chair

Went into consideration of His Excellency's Speech.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Speech and had directed him to report a progress, and requested leave to sit again

Which Report was accepted.

William Jarvis, Esquire, Secretary of the Province attended in behalf of the Clerk of the Crown with the Writ for the election of a Member for the County of Prince Edward and District of the late Township of Adolphus, by the return of which it appears that Peter Van Alstine, Esquire, is duly elected.

House in Committee

Mr. Jones in the Chair

Went into the consideration of the said Return.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Return and had directed him to report a progress, and requested leave to sit again

Which Report was accepted.

The House adjourned until to-morrow at Twelve o'clock.

Saturday 1st. June 1793

Prayers.

The Order of the Day being read

House in Committee

Mr. Jones in the Chair

Resumed the consideration of His Excellency's Speech.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone again into the consideration of His Excellency's Speech, and had directed him to report the draught of an Address in answer thereto.

Which Report was accepted

And the said Draught being read was agreed to and

Ordered to be engrossed.

On motion made and seconded

Ordered, That Mr. Jones, Mr. Macomb and Mr. White be a Committee to wait upon His Excellency to know when he will be pleased to receive this House with their Address.

The Committee appointed to wait upon His Excellency to know when he would be pleased to receive the House with their Address reported

That His Excellency will receive the House on Monday next at One o'clock.

House in Committee

Mr. Jones in the Chair

Resumed the consideration of the return from the County of Prince Edward.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone again into the consideration of the said return, and having accepted the same had in consequence qualified the said Peter Van Alstine, Esquire, by administering to him the necessary Oath.

And the said report being accepted the said Peter Van Alstine, Esquire, took his seat accordingly.

The House adjourned until Monday next at Twelve o'clock.

Monday 3rd. June 1793.

Prayers.

The Order of the Day being read

Resolved that the House shall take into consideration on Wednesday next in Committee of the Whole House the Ways and Means of raising a Revenue.

On Motion made and seconded

Ordered, That such Acts as have already passed or may hereafter pass the Legislature of this Province be translated into the French Language for the benefit of the inhabitants of the Western District of this province and other French settlers who may come to reside within this Province and that A. Macdonell, Esquire, Clerk of this House be likewise employed as a French Translator for this and other purposes of this House.

Mr. Spencer moved for leave to bring in a Bill for the better regulation of the Militia.

Leave was given.

Also for leave to bring in a Bill to regulate the laying out, amending, and keeping in repair the Public Highways and Roads in this Province.

Leave was given accordingly

Read as engrossed the Address of the House in answer to His Excellency the Lieutenant Governor's Speech, and the same being agreed to was signed by the Speaker and is as follows—to wit

To His Excellency John Graves Simcoe, Esquire, Lieutenant Governor and Colonel Commanding His Majesty's Forces in the Province of Upper Canada, &c., &c.

The Humble Address of the House of Assembly

May it Please Your Excellency:—

We His Majesty's most Loyal and Dutiful Subjects, the Members Of the House of Assembly of the Province of Upper Canada in Legislature assembled, beg leave to return to Your Excellency our sincere thanks for your most excellent speech.

We have heard with the truest concern of the great violence and almost universal anarchy that have been introduced by the persons exercising the Supreme Power in France into that once flourishing Kingdom, violence that even the sacred person of his Majesty has not escaped; Anarchy that threatens to be the total destruction of that Kingdom. Though our natural enemies we deplore their miseries, but as good Citizens and lovers of Rule and Order we detest their principles.

We assure Your Excellency that our utmost diligence shall be used to frame and complete such a Militia Bill as will not only show our own promptness to fulfil Your Excellency's wishes, but our own energy in defending that noble Constitution which Great Britain has given to us, and which by enabling us to repel all insult will secure to us the invaluable blessings that we derive from it.

We hear with unbounded pleasure that those whose secret Engines of Destruction have vainly endeavoured to disturb the Laws of our parent country have been discovered and frustrated, and that the efforts of our avowed enemies are equally impotent and abortive, and we are anxious to declare how proud we shall be to exhibit to our fellow citizens an equal ardour in manifesting the truest loyalty and love towards our King and genuine Patriotism in defence of our Country.

These sentiments will prove to Your Excellency how much we rejoice at the success of His Majesty's Arms in India, and we have the firmest reliance under Divine Providence upon the same Valour that hath so eminently displayed itself throughout that country for perfecting and ensuring peace to His Allies in Europe.

We assure Your Excellency that it shall be our early and steady endeavour to adopt and devise such means as may throughout this Province ensure to its inhabitants a firm support of Public Justice, the encouragement of Morality, and the Punishment of Crime, and we trust that with the able support that we shall receive from Your Excellency we shall continue to retain that paternal and beneficent approbation which our King has hitherto so eminently shown to us.

We cannot retire from Your Excellency's presence without expressing the high sense we entertain of the unremitting care and anxiety that Your Excellency shows for the prosperity of this increasing Province and more particularly for those arduous endeavours that Your Excellency has lately shown to acquire a thorough knowledge of the nature and condition of the Country, its population and resources, and we sincerely hope that Your Excellency may long continue with us to witness the advantages that your exertions will undoubtedly procure us.

The House waited upon His Excellency with the said Address

To which His Excellency was pleased to make the following answer.

Gentlemen:—

I feel myself infinitely obliged by your approbation of my endeavours to be of service to the Province, and you may depend on my unremitting zeal in every circumstance to advance the public prosperity.

The House adjourned until Wednesday Morning at Eleven o'clock.

Wednesday 5th. June 1793

Prayers.

The Order of the Day being read

House in Committee

Mr. Macomb in the Chair

Went into the consideration of the ways and means of raising a Revenue in this Province.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the ways and means of raising a Revenue in this Province, and had directed him to report the following resolutions—to wit:

Resolved, That all Retailers of Spirituous Liquors and Wine shall pay Three Pounds currency per annum for their Licenses, Two Pounds of which shall be paid into His Majesty's Exchequer as usual, and the remainder, after deducting the necessary and unavoidable fees of collection shall be appropriated to the discharge of the debts of the Provincial Legislature as may be ordered.

Resolved, That all persons keeping an open shop for the retail of merchandize shall take up a License for so doing and pay for the same the sum of Two Pounds Five Shillings currency per annum, out of which Five Shillings only shall be allowed for all fees, expenses, and deductions in collecting the same.

Resolved, That all persons going into the Indian Country to sell or barter merchandize be comprized within the description of shopkeepers, and obliged to take up Licenses accordingly.

Resolved, That County Rates shall be laid and collected in every District for the purposes of building Gaols and Court Houses, and that every inhabitant Householder within each District respectively shall be rated, assessed, and pay in the following proportion.

If his Estate real or personal be valued at One Hundred Pounds and upwards he shall pay Ten Shillings Currency.

If his Estate real or personal shall be valued under One Hundred Pounds Currency and above Fifty Pounds Currency he shall pay Five Shillings.

If his Estate real or personal be valued under Fifty Pounds Currency he shall only pay Two Shillings and Six pence.

Which Report was accepted.

Ordered, That Mr. Jones, Mr. White and Mr. Macomb be a Committee to bring in Bills accordingly.

Read the first time, a Bill to regulate the laying out, amending, and keeping in repair the Public Highways and Roads within this Province.

The House adjourned until to-morrow morning at Ten o'clock.

Thursday 6th. June 1793.

The Order of the day being read.

Received and read a message from His Excellency the Lieutenant Governor as follows—to wit:

John Graves Simcoe.

Mr. Speaker of the House of Assembly:

His Excellency the Lieutenant Governor of His Majesty's Province of Lower Canada having communicated to me the Copy of an Act of their Legislature entitled "An Act to establish a Fund for paying the salaries of the Officers of the Legislative Council and Assembly and for defraying the Contingent expenses thereof," together with a Resolution of the House of Assembly therein bearing date May 10th, 1793, I have thought it my duty to lose no time in laying them before you. The disposition to preserve a good correspondence which this Resolution evinces, as well as the spirit of justice on which it is framed have a manifest tendency to promote that union between the two Provinces which I shall be always happy to encourage and confirm. And whenever the exigencies of this Country may call you to adopt any measures in which the interests of Lower Canada shall be involved I make no doubt but as faithful subjects and good citizens you will be ready to adopt the same liberal conduct and thereby establish that generous intercourse which should always subsist between members of the same Government.

J. G. S.

Ordered, That the same and the papers accompanying it shall lie on the table for further consideration.

Mr. Campbell moved for leave to bring in a Bill to fix the times and places of holding the General Quarter Sessions of the Peace within the several Districts of this Province.

Also a Bill to prevent the kindling of fires by Travellers near Buildings and Fences.

Also a Bill to regulate the fences in the County of Dundas.

Also a Bill to regulate the sinking of ditches.

And a Bill to establish two annual Fairs in the Town of New Johnston.

Leave was granted.

Mr. Jones moved for leave to bring in a Bill to destroy certain noxious weeds.

Leave was given.

Mr. White moved for leave to bring in a Bill to provide for the appointment of Returning Officers for the several Counties within this Province.

Leave was granted accordingly.

Mr. Swayze moved for leave to bring in a Bill to attach the effects and property of debtors absent from the Province.

Leave was given.

Mr. Spencer moved for leave to bring in a Bill for the better regulation of the Militia of this Province.

Leave was given.

The House adjourned until to-morrow morning at ten o'clock.

Saturday 8th. June 1793.

The Order of the day being read

House in Committee

Mr. Speaker in the Chair.

Went into the consideration of His Excellency's Message.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Message and had directed him to report the draught of an Address in answer thereto.

Which Report was accepted, and the said draught being read was agreed to and ordered to be engrossed.

Ordered, That Mr. Macomb and Mr. Spencer be a Committee to wait upon His Excellency to know when he will be pleased to receive the House with the said Address.

Read the first time

A Bill to authorize Town meetings and a Bill to provide for the appointment of Returning Officers for the several counties within this Province.

The Committee appointed to wait upon His Excellency to know when he will be pleased to receive the House with their address in answer to his Message reported.

That His Excellency will receive the House with the same on Monday next at One o'clock.

Monday 10th. June 1793.

Prayers.

The Order of the Day being read

Mr. Campbell requested leave to withdraw the Bills for which he moved for leave on Friday last to bring in.

Leave was given accordingly.

Read as engrossed the Humble Address of the House of Assembly in answer to His Excellency's Message and is as follows—to wit:—

To His Excellency John Graves Simcoe, Esquire, Lieutenant Governor and Colonel Commanding His Majesty's Forces in the Provinces of Upper Canada &c. &c.

May it please Your Excellency:—

We, His Majesty's most Dutiful and Loyal Subjects the House of Assembly of the Province of Upper Canada in Legislature assembled beg leave to return our thanks for the message that we have been favored with from Your Excellency and to assure Your Excellency that it affords us great satisfaction to find that our Fellow Subjects in Lower Canada have shown so strong a disposition to cultivate the concord and harmony that is so essential to the future welfare of His Majesty's Provinces. Sensible as we are of this manifest proof of their good will we should be wanting in a due and proper sense of our mutual interest if we did not exhibit the same endeavours and the same disposition towards them. We therefore delay not to assure Your Excellency that we shall at all times studiously cultivate that proffered concord and harmony which we consider to be the duty of those to do who live under the protection of the same King and to the enjoyment of the same Constitution, and we hope that the result of our consultations on the subject matter of

Your Excellency's Message will be conducive to the general interests of our Constitution, and in that case we doubt not of Your Excellency's ready concurrence to give effect to such measures as shall be adopted.

And the same being agreed to and signed by the Speaker was presented accordingly.

Read the first time

A Bill to destroy certain noxious weeds.

Mr. Booth moved for leave to bring in a Bill to encourage the destroying of bears and wolves in different parts of this Province.

The House adjourned until to-morrow morning at Ten o'clock.

Tuesday 11th. June 1793.

The Order of the Day being read

Mr. Campbell moved for leave to bring in a Bill to establish a friendly intercourse with the Province of Lower Canada upon a permanent foundation.

Leave was given.

Read the second time

A Bill to authorize Fair Meetings.

House in Committee

Mr. Campbell in the Chair.

Went into the consideration of the said Bill.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill, and had agreed to the same with amendments

Which Report was accepted.

Ordered, That the said Bill be engrossed.

Read a second time

A Bill to provide for the appointment of Returning Officers for the several Counties within this Province.

House in Committee

Mr. Campbell in the Chair

Went into the consideration of the said Bill.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into consideration of the said Bill and had agreed to the same

Which report was accepted.

Ordered, That the said Bill be engrossed.

The House adjourned until to-morrow morning at Eleven o'clock.

Wednesday 12th. June 1793.

The Order of the Day being read

the first time

A Bill to encourage the destroying of Wolves and Bears in different parts of this Province.

Read the second time.

A Bill to destroy certain noxious weeds.

House in Committee

Went into consideration of the said Bill

Mr. Spencer in the Chair.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill and had agreed to the same with amendments

Which Report was accepted.

Ordered, That the said Bill be engrossed.

Read the First time

A Bill for the better regulation of the Militia of this Province.

Read the second time

A Bill to regulate the laying out, amending, and keeping in repair the Public Highways and Roads throughout this Province.

House in Committee

Mr. Smith in the Chair

Went into consideration of the said Bill.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill and had agreed to the same with amendments

Which Report was accepted and the said Bill being read as amended was agreed to and ordered to be engrossed.

The House adjourned until to-morrow morning at Ten o'clock.

Thursday 13th. June 1793.

The Order of the Day being read

On motion made and seconded

House in Committee

Mr. Spencer in the Chair

Went again into the consideration of the Bill to regulate the laying out, amending and keeping in repair the Public Highways and Roads within the Province; now recommitted.

The Speaker resumed the Chair.

The Chairman reported that the Committee had taken again into consideration the said Bill and had agreed to the same with amendments

Which Report was accepted and the said Bill being read as amended was agreed to and ordered to be engrossed.

Mr. Baby moved for leave to bring in a Bill to amend an Act entitled An Act to regulate the Tolls to be taken in Mills.

Leave was given.

Read as engrossed

A Bill to authorize Town Meetings. Also a Bill to provide for the appointment of Returning Officers for the several Counties within this province.

Ordered, That the said Bills pass and be sent up for concurrence.

Read the second time

A Bill to encourage the destroying of Wolves and Bears in different parts of this province.

House in Committee

Mr. Jones in the Chair

Went into the consideration of the said Bill.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill and had directed him to report a progress and requested leave to sit again

Which Report was accepted.

The House adjourned until to-morrow morning at Ten o'clock.

Friday 14th. June 1793.

The Order of the Day being read the second time

A Bill for the better regulation of the Militia of this Province.

House in Committee

Mr. Smith in the Chair

Went into the consideration of the said Bill.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill and had directed him to report progress and requested leave to sit again

Which Report was accepted.

Read the First Time

A Bill to establish a friendly intercourse with the Province of Lower Canada upon a permanent foundation.

A Message from Council with a Bill to enable His Majesty's Court of Common Pleas established in and for any part of this Province to compel the attendance of witnesses resident in any other District or Districts thereof.

And also a Bill to confirm and make valid certain marriages heretofore contracted in the Country now comprized within the Province of Upper Canada, and to provide for the future solemnization of marriages within the same.

Mr. Campbell moved for leave to bring in a Bill to provide a fund for paying the wages of the Members of the House of Assembly.

Leave was given accordingly.

Read for the First Time

A Bill to attach the effects and property of Debtors absent from the Province, and a Bill to amend an Act to regulate the Toll to be taken in Mills.

The House adjourned until Monday next at Ten o'clock.

Monday 17th. June 1793.

Prayers.

The Order of the Day being read as engrossed

A Bill to regulate the laying out, amending and keeping in repair the Public Highways and Roads within this Province.

Ordered, That the said Bill pass and be sent up for concurrence.

Also read as engrossed.

A Bill to destroy pernicious weeds.

Ordered, That the said Bill pass and be sent up for concurrence.

Read the second time

A Bill to encourage the destroying of Wolves and Bears in different parts of this Province.

House in Committee

Mr. Van Alstine in the Chair

Went into the consideration of the said Bill.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill and had agreed to the same

Which Report was accepted and the said Bill ordered to be engrossed.

Read the second time

A Bill to amend an Act entitled An Act to regulate the Toll to be taken in Mills.

Ordered, That the further consideration of the said Bill be postponed for three months.

Mr. Baby moved for leave to bring in a Bill to relieve the inhabitants of the Western District from the necessity of bolting the grain they grind at their Mills for Toll.

Leave was granted.

Read the First Time.

A Bill to confirm and make valid certain marriages heretofore contracted in the Country now comprised within the Province of Upper Canada, and to provide for the future solemnization of marriages within the same.

And also a Bill to enable His Majesty's Court of Common Pleas to establish in and for any part of this Province to compel the attendance of witnesses in any other District or Districts thereof.

Mr. Swayze moved for leave to bring in a Bill to limit the Jurisdiction of the Courts of Common Pleas.

Leave was given.

On Motion made and seconded

Resolved, That the Speaker do inform W. B. Sheehan, Esquire, Sheriff of this District, that the House entertain a strong sense of the impropriety of his conduct towards a Member of this House in having served a Writ of Capias upon the said Member contrary to his Privilege, and that the House has only dispensed with the necessity of bringing him to their Bar to be further dealt with from a conviction that want of reflection and not contempt made him guilty of an infringement upon the privileges of the House.

House in Committee

Mr. Smith in the Chair.

Resumed the consideration of the Bill for the better regulation of the Militia of this Province.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill and had agreed to the same with amendments

Which Report was accepted and the said Bill being read as amended was ordered to be engrossed.

The House adjourned until to-morrow morning at Ten o'clock.

Tuesday 18th. June 1793.

The Order of the Day being read

The first time as reported by the Committee appointed for that purpose

A Bill to establish a Fund for paying the salaries of the Officers of the Legislative Council and House of Assembly, and for defraying the contingent expenses thereof.

Mr. Spencer moved for leave to bring in a Bill to prevent the further introduction of Slaves, and to limit the term of contracts for servitude within this Province.

Read as engrossed.

A Bill to encourage the destroying of Wolves and Bears in different parts of this Province.

Ordered, That the said Bill pass and be sent up for concurrence.

Read the First Time.

A Bill to relieve the inhabitants of the Western District from the necessity of bolting the grain they grind at their Mills for Toll.

Read the second time

A Bill to establish a friendly intercourse with the Province of Lower Canada upon a permanent foundation.

Ordered to remain committed.

Also a Bill to enable His Majesty's Court of Common Pleas established in and for any part of this Province to compel the attendance of witnesses resident in any other District or Districts thereof was read a second time.

House in Committee

Mr. Smith in the Chair

Went into the consideration of the said Bill.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill, and had agreed to the same with amendments.

Which Report was accepted and the said Bill being read as amended was agreed to and ordered to be returned to the Legislative Council.

Read the First Time.

A Bill to limit the jurisdiction of the Courts of Common Pleas.

Read the First Time.

A Bill to provide a fund for paying the wages of the Members of the House of Assembly.

Mr. Macomb moved for leave to bring in a Bill to incorporate certain persons therein mentioned into a Society for the encouragement of Arts and Manufactures.

Leave was given.

The House adjourned until to-morrow morning at Ten o'clock.

Wednesday 19th. June 1793.

The Order of the Day being read the Second Time

A Bill to attach the effects and property of the Debtors absent from this Province.

House in Committee

Mr. Smith in the Chair.

Went into the consideration of the said Bill.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill and had agreed to the same with amendments.

Which report was accepted, and the said Bill being read as amended was agreed to, and ordered to be engrossed.

Read the Second Time.

A Bill to relieve the inhabitants of the Western District from the necessity of bolting the grain they grind at their Mills for Toll.

Ordered, That the further consideration of the said Bill be postponed for three months.

Read the First Time.

A Bill to prevent the further introduction of Slaves, and to limit the term of Contracts for Servitude within this Province.

Read the Second Time.

A Bill to confirm and make valid certain marriages heretofore contracted in the country now comprized within the Province of Upper Canada, and to provide for the future solemnization of marriage within the same.

House in Committee

Mr. Van Alstine in the Chair

Went into the consideration of the said Bill.

The Speaker resumed the Chair

The Chairman reported that the Committee had gone into the consideration of the said Bill, and had directed him to report a progress, and requested leave to sit again

Which Report was accepted.

The House adjourned until to-morrow morning at Ten o'clock.

Thursday 20th. June 1793.

The Order of the Day being read

House in Committee

Mr. Van Alstine in the Chair

Resumed the consideration of the Bill to confirm and make valid certain Marriages heretofore contracted in the country now comprised within the Province of Upper Canada, and to provide for the future solemnization of Marriages within the same.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill and had agreed to the same with amendments.

Which Report was accepted, and the said Bill being read as amended was agreed to, and ordered to be sent up for concurrence.

Read as engrossed.

A Bill to attach the effects and property of Debtors absent from the Province.

Ordered, That the said Bill pass and be sent up for concurrence.

Read the First Time.

A Bill to provide for the nomination and appointment of Parish and Town Officers throughout this Province

And a Bill to fix the times and places of holding the General Quarter Sessions of the Peace within the several Districts of this Province.

The House adjourned until to-morrow morning at Eleven o'clock.

Friday 21st. June 1793.

The Order of the Day being read the Second Time

A Bill to fix the times and places of holding the General Quarter Sessions of the Peace within the several Districts of this Province.

House in Committee

Mr. Macomb in the Chair.

Went into the consideration of the said Bill.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill and had agreed to the same with amendments.

Which Report was accepted, and the said Bill being read as amended was agreed to and ordered to be engrossed.

A Message from the Council with a Bill to establish a Court of Probate in this Province, and also a Surrogate Court in every District thereof. And also a Bill to encourage the destroying of Wolves and Bears in different parts of this Province, with amendments.

Read the Second time

A Bill to limit the jurisdiction of the Courts of Common Pleas.

Ordered, That the further consideration of the said Bill be postponed for three months.

Read the Second Time

A Bill to provide for the nomination and appointment of Parish and Town Officers throughout this Province.

Ordered, That the said Bill stand committed.

Mr. Jones moved for leave to bring in a Bill to confirm bona fide purchasers of lands any informalities in their deeds.

Leave was given.

House adjourned until to-morrow morning at Ten o'clock.

Saturday 22nd. June 1793.

The Order of the Day being read the First Time

A Bill to authorize and direct the laying and collecting of assessments and rates in every District within this Province, and to provide for the payment of wages to the Members of the House of Assembly.

Read as amended in Council a Bill to encourage the destroying of Wolves and Bears in different parts of this Province.

The House concurred in the amendments and ordered that the said Bill be returned to Council.

Read the Second Time

A Bill to establish a Court of Probate in this Province, and also a Surrogate Court in every District thereof.

House adjourned until Monday next at Ten o'clock.

Monday 24th. June 1793.

Prayers.

The Order of the Day being read as engrossed

A Bill for the better regulation of the Militia of this Province.

Ordered that the said Bill pass and be sent up for concurrence.

Read the Second Time

A Bill to establish a Court of Probate in this Province and also a Surrogate Court in every District.

House in Committee

Mr. Campbell in the Chair

Went into the consideration of the said Bill.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill and had agreed to the same.

Which Report was accepted, and the said Bill being read was agreed to, and ordered to be returned to Council.

A Message from Council requesting a conference on the subject of the amendments in the Bill to confirm and make valid certain marriages heretofore contracted in the country now comprized within the Province of Upper Canada, and to provide for the future solemnization of Marriages within the same.

Ordered, That Mr. Macomb, Mr. Campbell, and Major Van Alstine be a Committee to confer with a Committee of Council accordingly.

The House adjourned until to-morrow morning at Ten o'clock.

Tuesday 25th. June 1793.

The Order of the Day being read

The Committee appointed to confer with a Committee of Council on the subject of the Bill to confirm and make valid certain Marriages heretofore contracted in the country now comprized within the Province of Upper Canada, and to provide for the future solemnization of Marriages within the same reported that they had agreed in withdrawing the amendments made therein in this House

Which Report was accepted.

House in Committee

Mr. Spencer in the Chair

Went into the consideration of the Bill to prevent the further introduction of Slaves and to limit the term of contract for servitude within this Province.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill and had agreed to the same

Which Report was accepted.

Ordered, That the said Bill be engrossed.

House in Committee

Mr. Spencer in the Chair.

Went into the consideration of the Bill to authorize and direct the laying and collecting of assessments and rates in every District of this Province and to provide for the payment of wages to the Members of the House of Assembly.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill and had agreed to the same

Which Report was accepted.

Ordered, That the said Bill be engrossed.

Read the Second Time

A Bill to provide for the nomination and appointment of Parish and Town Officers throughout this Province.

House in Committee

Mr. Jones in the Chair

Went into the consideration of the said Bill.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill and had agreed to the same.

Which Report was accepted and ordered that the said Bill be engrossed.

The House adjourned until to-morrow morning at Ten o'clock.

Wednesday 26th. June 1793.

The Order of the Day being read

Read as engrossed

A Bill to prevent the further introduction of Slaves, and to limit the term of contract for servitude within this Province.

Ordered, That the said Bill pass and be sent up for concurrence.

A Message from Council with a Bill to regulate the laying out, amending and keeping in repair the Public Highways and Roads within this Province—with amendments

Which Bill being read as amended

Ordered, That Mr. Jones, Mr. Macomb, and Mr. Campbell be a Committee to request a Conference with a Committee of the Council respecting the amendments of the said Bill, and to confer thereupon.

The House adjourned until to-morrow morning at Eleven o'clock.

Thursday 27th. June 1793.

The Order of the Day being read

Read as engrossed

A Bill to provide for the nomination and appointment of Parish and Town Officers throughout this Province

Ordered, That the said Bill pass and be sent up for concurrence.

Ordered, That Mr. Smith and Mr. White be a Committee to bring in speedily Bills for laying a duty of Excise on distilled liquors brought into this Province, and on Wines.

The House adjourned until to-morrow morning at Eleven o'clock.

Friday 28th. June 1793.

The Order of the Day being read

Read for the First Time as brought in by the Committee appointed for that Purpose

A Bill laying a duty of Excise on distilled liquors brought into this Province.

The House adjourned until Monday morning at Ten o'clock.

Monday 1st. July 1793.

Prayers.

The Order of the Day being read

Read as engrossed

A Bill to fix the times and places of holding the General Quarter Sessions of the Peace within the several Districts of this Province.

Ordered, That the said Bill pass and be sent up for concurrence.

Read the First Time as brought in by the Committee appointed for that purpose

A Bill to establish a Fund for paying the salaries of the Officers of the Legislative Council and House of Assembly, and for defraying the contingent expenses thereof.

Read the Second Time

A Bill for laying a duty of excise on distilled liquors brought into this Province.

House in Committee

Mr. Macomb in the Chair

Went into the consideration of the said Bill.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill and had agreed to the same

Ordered, That the said Bill be engrossed.

Which Report was accepted.

Read the Second time

A Bill to establish a fund for paying the salaries of the officers of the Legislative Council and House of Assembly, and for defraying the contingent expenses thereof.

House in Committee

Mr. Macomb in the Chair.

Went into the consideration of the said Bill.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill and agreed to the same

Which Report was accepted.

Ordered, That the said Bill be engrossed.

The House adjourned until to-morrow morning at Ten o'clock.

Tuesday 2nd. July 1793.

The Order of the day being read

Read as engrossed

A Bill for laying a duty of excise on distilled liquors brought into this Province

And a Bill to establish a fund for paying the salaries of the Officers ot the Legislative Council and House of Assembly, and for defraying the contingent expenses thereof.

Ordered, That the said Bills pass and be sent up for concurrence.

The Committee appointed to confer with a Committee of Council on the subject of the amendments in the Bill "To regulate the laying out, amending and keeping in repair the Public Highways and Roads within this Province" reported that they had concurred in the amendments.

And said Bill being read as amended was agreed to and ordered to be returned to Council.

A Message from Council with a Bill to prevent the further introduction of Slaves, and to limit the term of contracts for servitude within this Province with amendments.

Also a Bill for the better regulation of the Militia of this Province, with amendments

And also a Bill to provide for the nomination and appointment of Parish and Town Officers within this Province.

Read as amended

A Bill to prevent the further introduction of Slaves, and to limit the term of contracts for servitude within this Province

And a Bill to provide for the nomination and appointment of Parish and Town Officers within this Province.

The House concurred in the amendments and ordered that the said Bills be returned to Council.

House in Committee

Mr. Speaker in the Chair

Went into the consideration of the Bill to establish a friendly intercourse with the Province of Lower Canada upon a permanent foundation.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill and had agreed to the same under the title of "A Bill to authorize the Lieutenant Governor to nominate and appoint certain Commissioners for the purposes herein mentioned, with amendments.

And the said Bill being read as amended was agreed to and ordered to be engrossed.

The House adjourned until Thursday next at Ten o'clock.

Thursday 4th. July 1793.

Prayers.

The Order of the Day being read

Read as amended in Council

A Bill for the better regulation of the Militia of this Province.

House in Committee

Mr. Spencer in the Chair

Went into the consideration of the said Bill.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill and had not concurred in the amendments

Which Report was accepted.

Ordered, That Mr. Campbell, Mr. French and Mr. Pawling be a Committee to request a conference with a Committee of Council, and to confer with them in respect of the said amendments.

Read as engrossed

A Bill to authorize the Lieutenant Governor to nominate and appoint certain Commissioners for the purposes herein mentioned.

Ordered, That the said Bill pass and be sent up for concurrence.

Read as engrossed

A Bill to authorize and direct the laying of assessments and rates in every District of this Province and to provide for the payment of wages to the Members of the House of Assembly.

Ordered, That the said Bill pass and be sent up for concurrence.

Read the First Time

A Bill to establish a further fund for the payment of salaries of the Officers of the Legislative Council and Assembly. and for defraying the contingent expenses.

The House adjourned until to-morrow at Twelve o'clock.

Friday 5th. July 1793.

The Order of the Day being read

The Committee appointed to confer with a Committee of Council respecting the amendments of the Bill for the better regulation of the Militia of this Province reported that the Committee of Council had concurred with them in making the necessary alterations in the amendments.

And the said Bill being read as so amended was agreed to and ordered to be returned to Council.

Read the Second Time.

A Bill to establish a further fund for the payment of the salaries of the Officers of the Legislative Council and Assembly. and for defraying the contingent expenses thereof.

House in Committee

Mr. Spencer in the Chair.

Went into the consideration of the said Bill.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill and had agreed to the same

Which Report was accepted.

Ordered, That the said Bill be engrossed.

A Message from the Council with a Bill to fix the times and places of holding the General Sessions of the Peace within the several Districts of this Province.

And the said Bill being read as amended the House concurred in the amendments and ordered the said Bill to be returned to Council.

The House adjourned until to-morrow morning at Eleven o'clock.

Saturday 6th. July 1793.

Prayers.

The Order of the Day being read

A Bill to establish a further fund for paying the salaries of the Officers of the Legislative Council and Assembly, and for defraying the contingent expenses thereof was

Read as engrossed.

Ordered, That the said Bill pass and be sent up for concurrence.

A Message from Council with a Bill to establish a fund for paying the salaries of the Officers of the Legislative Council and Assembly, and for defraying the contingent expenses thereof—with amendments,

Which Bill being read the House concurred in the amendments and ordered the said Bill to be returned to Council.

A Message from Council informing that they had appointed a Committee to meet in conference a Committee from the House to consider an Address to His Majesty.

Ordered, That Mr. White and Mr. Macomb be a Committee accordingly, and do report a draught of an Address.

A Message from Council with a Bill to authorize and direct the laying and collecting of assessments and rates in every District of this Province, and to provide for the payment of wages to the Members of the House of Assembly—with amendments.

Which Bill being read the House concurred in the amendments and ordered the Bill to be returned to Council.

A Message from Council with a Bill to establish a further fund for the payment of the salaries of the Officers of the Legislative Council and Assembly and for defraying the contingent expenses thereof—with amendments

Which Bill being read the House concurred in the amendments and ordered the said Bill to be returned to the Council.

The House adjourned until Monday next at Ten o'clock.

Monday 8th. July 1793.

Prayers.

The Order of the Day being read

The Committee appointed to go into the conference with a Committee of Council to consider of an Address to His Majesty reported that they had conferred accordingly, and reported the draught of an Address in consequence. They likewise informed that His Excellency would be pleased to receive the House with the said Address at one o'clock this day and transmit the same to His Majesty

Which Report was accepted, and the said draught being read was agreed to and ordered to be engrossed and signed by the Speaker.

Resolved, That it be inserted upon the Records of this House that the Speaker shall be allowed as the principal Officer of the House a salary proportionate to his situation, to commence and date from his first departure from home to attend the first Session of the present General Assembly.

The House waited upon His Excellency with their address to His Majesty, and which is as follows
to wit:—

To the King's Most Excellent Majesty,

The Humble Address of the House of Assembly of the Province of Upper Canada, in Legislature assembled.

Most Gracious Sovereign:—

We Your Majesty's Most Dutiful and Loyal Subjects, the House of Assembly of the Province of Upper Canada, in Legislature assembled, approach your Throne with Gratitude and Affection.

In this remote but flourishing part of Your Majesty's Dominions, where we have found shelter by Your Majesty's paternal care and tenderness, the fame of those tumults and disorders that live in Europe hath but lately arrived, but conceiving that at a period so important it is the duty of all good men and faithful subjects to manifest themselves to their King and Country we beg leave to lay before Your Majesty our loyalty and love, and if it should be necessary at any time to add to our tried zeal and affection we assure Your Majesty that no exertions on our part shall be found wanting to convince our fellow subjects that the foremost rank is our station among those who stand forth for the protection and defence of their King and Country.

We cannot revert to the sacrilegious murder in France without horror and abhorrence of the men and principles that have effected it, but as a work of evil sometimes produces good we cherish the hope that a conduct so baneful to every precept of Religion and Law will serve to rivet the loyalty and attachment of our fellow subjects as it has ours to the best of Kings and of Constitutions the most excellent.

The House adjourned until to-morrow morning at Ten o'clock.

Tuesday 9th. July 1793.

The Order of the Day being read

Resolved, That His Excellency the Lieutenant Governor be requested through the Speaker to grant a loan to this House for the purpose of paying the salaries of the Officers and other contingent expenses that shall respectively be certified to under the hand and seal of the Speaker to His Majesty's Receiver General or other person appointed by His Excellency to issue such loan, the Speaker keeping minutes of every certificate by him so vouched in order to submit the same to the consideration of the House in the next Session thereof.

Resolved, That should the funds provided this Session prove insufficient to reimburse His Excellency in the amount of the said loan that this House will be responsible to make provision during the next session thereof for making good the deficiency.

A Message from His Excellency the Lieutenant Governor desiring the attendance of the House in the Council Chamber.

The House having attended accordingly His Excellency was pleased to give his assent to the following Acts— to wit

An Act for the better regulation of the Militia of this Province.

An Act to establish a Court of Probate in this Province, and also a Surrogate Court in every District thereof.

An Act to confirm and make valid certain Marriages heretofore contracted in the country now comprized within the Province of Upper Canada, and to provide for the future solemnization of Marriages within the same.

An Act to provide for the appointment of Returning Officers for the several Counties within this Province.

An Act to encourage the destroying of Wolves and Bears in different parts of this Province.

An Act to regulate the laying out. amending and keeping in repair the Public Highways and Roads within this Province.

An Act to prevent the further introduction of Slaves, and to limit the term of contracts for servitude within this Province.

An Act to provide for the nomination and appointment of Parish and Town Officers throughout this Province.

An Act to fix the times and places of holding the General Quarter Sessions of the Peace within the several Districts of this Province.

An Act to establish a fund for paying the salaries of the Officers of the Legislative Council and House of Assembly, and for defraying the contingent expenses thereof.

An Act to authorize the Lieutenant Governor to nominate and appoint certain Commissioners for the purpose herein mentioned.

An Act to authorize and direct the laying and collecting of assessments and rates in every District of the Provinces, and to provide for the payment of wages to the Members of the House of Assembly.

An Act to establish a further fund for the payment of the salaries of the Officers of the Legislative Council and Assembly, and for defraying the contingent expenses thereof.

After which His Excellency was pleased to make the following Speech to both Houses.

Gentlemen:—

It gives me great satisfaction that by your unremitting diligence the Public Business of the Session has been so far transacted that I am enabled to consult your personal convenience and to dismiss you at an early period to your respective residences.

It is with pleasure I perceive that agreeably to my recommendation you have modelled a Militia Bill, and have provided such salutary Laws as are suitable to the present condition of the Province.

The Act for the gradual abolition of Slavery in this Colony which it has been thought expedient to frame in no respect meets from me a more cheerful concurrence than in that provision which repeals the power heretofore held by the Executive Branch of the Constitution and precludes it from giving sanction to the importation of Slaves, and I cannot but anticipate with singular pleasure that such persons as may be in that unhappy condition which sound policy and humanity unite to condemn, added to their own protection from all undue severity by the Law of the land, may henceforth look forward with certainty to the emancipation of their offspring.

Honorable Gentlemen—and Gentlemen,

Should the necessity of any further provision or amendments of the Ordinances of the late Province of Quebec attract your notice during the recess I doubt not but in the next Session by carrying such improvements into execution you will exemplify that distinguishing excellence in the British Constitution of which we daily experience the benefit and which has been transmitted to us by our ancestors as the firmest security of the Public Prosperity.

And then the Honorable Speaker of the Executive Council by His Excellency's command declared the General Assembly prorogued until the 26th. day of September next.

[Certified to be a
True Copy of the
Journals of the
House of Assembly
of the Province of
Upper Canada in
1793.

(Signed)

George Mayer
Librarian and Keeper
of the Records.]

Proceedings

OF THE

HOUSE OF ASSEMBLY

OF THE

Province of Upper Canada

1794*

[***Being** a fragment recovered in the Crown Lands Department of the Province of Ontario, and the only known copy in existence.—A.F.]

Proceedings

OF THE

HOUSE OF ASSEMBLY

OF THE

Province of Upper Canada,

1794.

Holden at Newark on the 2d day of June in the Thirty-fourth year of the Reign of Our Sovereign Lord George the Third King of Great Britain &c. &c. being the Third Session of the first meeting of the Legislature.

House met according to Proclamation.

Prayers.

A Message from His Ex'y the Lt. Gr. desiring the attendance of the House in the Council Chamber.

The House attended accordingly.

When His Ex'y was pleased to make the following speech, Viz.

Honble G. and Gentlemen, &c. (In the Gazette).

The House having returned, formed: when,

The Speaker read his Ex'y's speech.

Went into the consideration of His Ex'y's speech.

Ordered, that Mr. Smith, Mr. Jones & Mr. Spencer be a committee to prepare an address of thanks thereto.

Ordered that Mr. White, Mr. Terry, Mr. Swayzé, Mr. Pawling, Mr. Booth & Mr. H. MacDonell do wait on His Exc'y to know when it will be his pleasure to receive the same.

Read by order the first time.

A Bill for accounting to His Majesty for all fines, forfeitures and penalties hitherto reserved to His Majesty to and for the uses of this Province.

House adjourned till to-morrow at 11 o'clock.

Tuesday 3'd of June 1794.

The order of the day being read.

The Committee appointed to draw up an address of thanks reported that they had prepared one accordingly: which being read was approved.

The Committee appointed to wait on His Excellency, reported that they had waited on him accordingly, and that His Excellency . . . . wo'd receive the House at Eleven o'clock to-morrow.

Read a 2d time.

A Bill to provide for the accounting to His Majesty for all fines (as before).

House in Committee.

Mr. Spencer in the Chair.

Went into the consideration of the said Bill.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill and had agreed to the same.

Which report was accepted, and the said Bill ordered to be engrossed.

Mr. Smith moved for leave to regulate the practice of Physic in this Province; leave granted accordingly.

House adjourned till to-morrow at 1/2 past ten o'clock.

Wednesday 4th. of June 1794.

The order of the day being read:—

Read as prepared the address of thanks to His Ex'y, and being signed by the Speaker.

The House waited on His Ex'y with the same. The speech is to be found in the Gazette.

To which His Ex'y was pleased to answer as follows (vide the Gazette).

The House having returned, on motion of Mr. Jones adjourned till to-morrow at 11 o'clock.

Thursday 5th. of June 1794.

The order of the day being read,

Read, the first time, a Bill to regulate the Practice of Physic in this Province.

On motion, ordered that the same be read a second time, to-morrow.

Read the first time.

A Bill intituled an Act to oblige persons about to leave the province in debt to a certain amount to take out a pass previous to their leaving the same. On motion,

Ordered that the same be read a second time on Saturday.

Mr. Spencer moved that,

This House do resolve itself into a Committee on Monday next to consider of the ways and means of increasing the revenue, in the province; and that the persons now employed in collecting the same be directed to send their accounts to the Clerk of the House by that time.

Ordered accordingly.

House adjourned till to-morrow at 10 o'clock.

Friday 6th. June 1794.

The order of the day be read,

Read as engrossed a Bill for the accounting to His Majesty for all fines (as before).

The question being put,

Shall this Bill pass?

Resolved in the affirmative, and ordered to be sent to the Council for concurrence.

Read a second time,

"A Bill to regulate the Practice of Physic in this Province"

House in Committee,

Mr. Spencer in the Chair.

Went into the consideration of the said Bill;

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill, and had agreed to the same with amendments; and,

The said Bill being read as amended, was agreed to, and

Ordered to be engrossed.

On motion, ordered to be read a third time to-morrow.

The House adjourned till to-morrow at 11 o'clock.

Saturday June 7th, 1794.

The order of the day being read,

Read as engrossed a "Bill to regulate the practice of physic and surgery within this Province."

The question being put,

"Shall this Bill pass?"

Resolved in the affirmative: and ordered to be sent to the Council for concurrence.

Read the second time

A Bill, to oblige persons about to leave the Province in debt to ascertain amount &c. &c. (as before).

On motion, Ordered that the same be taken into the consideration of a Committee to-morrow.

Mr. Pawling moved for leave to bring in a Bill to regulate the manner of granting licenses to Public Houses.

Granted accordingly.

The House adjourned until Monday morning at Ten o'clock.

Monday 9th. June 1794.

Prayers.

The order of the day being read,

The House went into Committee.

Mr. Spencer in the Chair.

Went into the consideration of the Revenues of the Province.

The Speaker resumed the Chair.

The Chairman reported,

That the further consideration of the Revenues was postponed till Mr. Jarvis could send in His Accounts of the monies received by means of the additional duty granted the preceding year on Licenses and then,

Requested leave to sit again,

Which report was accepted.

House in Committee.

Went into the consideration of the Bill to oblige persons about to leave the Province &c. &c. (as before).

The Speaker resumed the Chair.

The Chairman reported, that the Committee had gone into the consideration of the said Bill, and had agreed to the same with amendments,

Which report was accepted.

Ordered that the same be engrossed.

On motion ordered that this Bill be read a third time to-morrow.

Read the first time a Bill to regulate the manner of granting Licenses to Public Houses.

The House adjourned until ten o'clock to-morrow.

Tuesday June 10, 1794.

The order of the day being read,

Read as engrossed,

A Bill to oblige persons about to leave the Province &c. (as before).

The question being put,

" Shall this Bill pass?"

Ordered to be sent to the Council for concurrence.

Read the second time.

A Bill " to regulate the manner of granting licenses to public Houses."

House in Committee.

Mr. Jones in the Chair.

Went into the consideration of the said Bill.

The Speaker resumed the Chair.

The Chairman reported progress & requested leave to sit again, which report was accepted.

On the motion of Mr. Smith,

Ordered that Mr. Spencer, Mr. Jones, Mr. Smith, Mr. H. Macdonell & Mr. Booth be a select committee to examine the several documents and amounts respecting the Revenues, sent agreeably to the order of the House and report thereon.

House adjourned till to-morrow at 12 o'clock.

Wednesday, 11th June 1794.

The Speaker having taken the Chair,

Mr. Spencer moved for leave to bring in a Bill to repeal and amend certain parts of an Act passed in the 33d year of His Majesty's reign " Intituled an act to regulate and amend the Highway."

Leave granted.

Mr. Campbell moved for leave to bring in a Bill to explain and amend an act passed in the 33d year of His Majesty's Reign, Intituled an Act to authorize and direct the laying and collecting of assessments and Rates in every district within this Province."

Leave being given,

The House adjourned for one hour,

Two o'clock.

The House met and the Speaker resumed the Chair.

The Chairman of the select Committee reported, that, in obedience to the orders of the House, they had examined the said document and reports sent in by the several agents appointed to collect & receive the Revenues, and had stated their report in the paper then delivered.

Which report was accepted. and

The House resolved itself into Committee.

Mr. Swayzé in the Chair. When the Report of the select Committee was read as follows, to wit,

(Here insert the Report and the several forms.)

Journal

OF THE

HOUSE OF ASSEMBLY

OF THE

Province of Upper Canada

1798

NOTE:—The Journals for the years 1795, 1796 and 1797 are not known to be in existence.

Journal

OF THE

HOUSE OF ASSEMBLY

OF THE

Province of Upper Canada,

1798.

At the second session of the Second Parliament of the Province of Upper Canada begun and held in the Town of York on the Fifth day of June in the Thirty Eighth Year of Our Sovereign Lord George the Third of Great Britain. France and Ireland, King, Defender of the Faith and so forth and in the Year of Our Lord One Thousand Seven Hundred and Ninety Eight.

York, Tuesday 5th. June 1798.

The House met agreeable to Proclamation but there attended not a sufficient number of Members thereof to form a Quorum.

A Message from His Honour the President commanding the attendance of the House in the Upper House of Parliament.

And the House having attended there accordingly His Honor was pleased to make the following speech to both Houses.

Honorable Gentlemen of the Legislative Council and Gentlemen of the House of Assembly:—

I called you together at an early period this year in the hope that you may be able to finish the business of the Session before the commencement of your approaching harvest.

Agreeable to the powers with which I was vested by an Act of the last Session Commissioners have been appointed for the purpose of arranging a provisional agreement with Lower Canada, and they will proceed with the object of their mission as soon as Official information arrives of Commissioners having been appointed to meet them on the part of that Province. In the exercise of the authority given me at the same time by another Act I did not think it expedient to suspend the operation of other parts of the Ordinances relative to Commercial intercourse between the United States and this Province than of such as related to the registering of vessels. You may consequently judge proper to digest such further regulations for carrying that intercourse into effect as may appear to you to be necessary and consistent with the reciprocal interests naturally subsisting between the two Provinces of Upper and Lower Canada.

Honorable Gentlemen—and Gentlemen,

I have directed to be laid before you the Reports sent me by the Inspector stationed at the Coteau-Du-Lac of the dutiable articles which have passed that Port upwards in the course of the last year; you will also receive at the same time an account of the provincial Revenues which have been paid into your Treasurer's hands since your last meeting, with their application.

Honorable Gentlemen—and Gentlemen,

I lament that I have no favourable intelligence to communicate to you respecting the approach of peace, and that not having received any late dispatches from the Secretary of State I am equally unable to announce to you the Royal pleasure on your Address to His Majesty and the two unconfirmed Acts of your last Session which I transmitted home immediately after.

York having been selected for the Capital of the Province it will appear of course to you to be expedient that it should be made the capital also of a District. I submit to you therefore the propriety of dividing the home into two separate Districts. You may probably at the same time take into your consideration the expediency of revising and altering the boundaries of some of the other Districts.

The House being returned and there being no Quorum Mr. Speaker adjourned the House until to-morrow.

Wednesday 6th. June 1798.

Prayers having been read

His Honor the President's Speech was read by Mr. Speaker.

Mr. Rogers seconded by Mr. Beasley moved that every day immediately after Mr. Speaker shall have taken the Chair the minutes of the proceedings of the preceding day shall be read by the Clerk to the end that any mistake therein may be corrected by the House. And it was ordered accordingly.

On the Motion of Mr. Solicitor General seconded by Mr. Fraser the House resolved itself into Committee, Mr. Solicitor General in the Chair.

The Committee went into the consideration of His Honor the President's Speech and of the draught of an Address in answer thereto.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of His Honor's Speech and had directed him to report the draught of an Address in answer thereto.

Which report was accepted, and the said draught being read was agreed to and ordered to be engrossed.

Ordered, That Mr. Solicitor General, Mr. Jones, and Mr. Rogers be a Committee to wait upon His Honor the President to know when he will be pleased to receive the House with their Address.

Which Committee being returned reported that they had waited upon His Honor accordingly and that he had been pleased to inform them that he is ready to receive the House with their Address immediately.

Mr. Speaker read as engrossed the Address of the House in answer to His Honor's Speech in the following words—to wit

To His Honor Peter Russell Esq.
President administering the Government of His Majesty's Province of Upper Canada &c. &c. &c.

May it Please Your Honor:—

We His Majesty's most dutiful and loyal subjects the Commons House of the Assembly of Upper Canada in Parliament met beg leave to return Your Honor the thanks of this House for Your Honor's Speech.

We acknowledge our obligation to Your Honor for calling us together at this season of the year certainly the most favorable for our several occupations during the present state of the roads and other communications, and for providing so suitable a house for our temporary reception.

We trust that the new Commissioners will provide a system for the future arrangements between Upper and Lower Canada upon a basis which shall be reciprocal to the interests which ought naturally to subsist between the two Provinces; we therefore observe with pleasure that the sister Colony has directed the Inspector at the Coteau-Du-Lac to continue to you his reports of the dutiable articles which have passed that Port upwards in the course of the last year.

We lament with your Honor that there is so little appearance of the approach of Peace, and cannot omit (considering the circumstances of the other countries) to return thanks to the great Director of all things for the tranquility which this infant Colony has experienced.

We perceive forcibly the good which must result to His Majesty's Courts and Departments, as well as to all classes of people, by the fixing and making known some certain plan for the Seat of Government, and we readily see the necessity of the Home District being divided, and of York being made the Capital of a new District. We shall therefore endeavour to effect so desirable a purpose, and should we see the necessity of other alterations during our deliberations we shall take advantage of them for the Public Good and the convenience of His Majesty's subjects.

Which Address was accepted, and the same was accordingly signed by Mr. Speaker.

The House waited upon His Honor with their Address, to which His Honor was pleased to make the following reply.

Gentlemen of the House of Assembly:—

I return thanks for this Address, and am happy that my endeavours to accommodate your convenience meet your approbation.

The House being returned Mr. Speaker read His Honor's reply to the Address of the House, which was ordered to be entered upon the Journal.

On the motion of Mr. Beasley seconded by Mr. Jones

Ordered, That there be a call of this House on the ninth day of June inst. and that the Clerk of the House be instructed to write to the absent Members directing their attendance in the name of the House on that day.

On motion of Mr. Rogers seconded by Mr. Beasley

Ordered, That the Clerk of the House be directed to lay on the Table for the use of the Members a copy of all the rules adopted by the House of Assembly to be certified by his signing the same.

On the motion of Mr. Rogers duly seconded the House adjourned until Ten of the clock to-morrow.

Thursday 7th. June 1798.

Prayers being read

Read the minutes of the proceedings of yesterday.

Mr. Speaker read a letter from Captain Wilkinson accounting for his not attending his service in Parliament and praying to be therefore excused.

Mr. Speaker laid on the Table a letter received from Gideon Tiffany, claiming some arrears due to him for printing the Acts of the Provincial Parliament.

Mr. Solicitor General moved that the Clerk of the House do write to the Secretary of the Province directing him to prepare his accounts in order that they may be laid before the House as soon as possible for their consideration, which being duly seconded by the Whole House was ordered accordingly.

Mr. Rogers moved for leave to bring in a Bill for the better payment of Members of the House of Assembly, on to-morrow which being duly seconded leave was given.

On motion of Mr. Beasley duly seconded the House adjourned.

Friday 8th. June 1798.

Prayers being read

On the motion of Mr. Rogers duly seconded

Resolved, That it is one of the Standing Privileges of this House to be at all times cleared.

Mr. Beasley moved for leave to bring in to-morrow a Bill to regulate the salmon fishery for the Township of York, and being duly seconded leave was given accordingly.

The Standing Rules of the House up to the 3rd. of June 1793 were read by Mr. Speaker.

The Order of the Day being read

Mr. Rogers brought in the Bill to remedy the inconveniences arising from the present method of levying supplies to defray the expenses of Members of the House of Assembly pursuant to leave given to him therefor yesterday, and the same was read the first time accordingly.

Ordered, That the said Bill be read a second time to-morrow.

On motion of Mr. Rogers seconded by Mr. Solicitor General the House adjourned.

Saturday 9th. June 1798.

Prayers being read

The minutes of the Proceedings of yesterday were read.

Mr. Speaker read the Standing Rules of the House up to the 22nd. July 1795.

Mr. Street moved for leave to bring in on Monday next a Bill for the more uniform laying of assessments, and being seconded by Mr. Rogers leave was given accordingly.

The Order of the Day being read

The House was called over, whereof the following Members were absent. Christopher Robinson, Timothy Thompson, Richard Wilkinson, John Macdonell, Thomas Smith, Thomas McKee, Esquires.

Which absentees were called a second time severally by name, and likewise a third time without that they or any of them appeared.

Mr. Rogers seconded by Mr. Street moved that Christopher Robinson Esquire, one of the absentee members having duly attended his duty in Parliament and being now confined to his room in this Town by illness, the House do excuse his attendance for the day, and thereupon the question having been put the same was unanimously carried with affirmative.

Mr. Street seconded by Mr. Beasley moved that Mr. Hardison be excused for not attending, by reason of his want of health, and by the probability that he has arrived in town this day to take his seat if recovered from his late indisposition, and the question being put that the House do receive such excuse as sufficient the same was carried in the affirmative.

On Motion of Mr. Solicitor General seconded by Mr. Fraser.

Ordered, That Colonel John Macdonell do stand excused for his non attendance by reason of indisposition and of the strong probability of his arrival to take his seat in the course of the day should the state of his health permit it.

On Motion of Mr. Beasley seconded by Mr. Jones

Ordered, That the House do resolve itself into Committee on Monday next in order to take into consideration and adopt proper measures for compelling the attendance of members thereof.

Read the second time

A Bill to remedy the inconveniences arising from the present method of levying supplies to defray the expenses of the Members of the House of Assembly.

On motion of Mr. Rogers duly seconded that the said Bill be now committed.

House in Committee, Mr. Jones in the Chair.

Went into the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill and had directed him to report a progress and to request leave to sit again.

Which Report was accepted and leave was given accordingly.

Colonel John Macdonell attending to take his seat as a Member of this House, His Majesty's Commission of Dedimus Potestatem authorizing Angus Macdonell Clerk of this House to administer to the Members returned to sit therein the Oath by Law prescribed in that respect was read, which Oath having been taken and subscribed by Colonel John Macdonell he took his seat in the House accordingly.

On motion of Mr. Rogers seconded by Colonel Macdonell.

Ordered, That after the Speaker shall have taken the Chair no member shall leave the House until it be adjourned without the Speaker's permission.

Mr. Beasley brought in the Bill to regulate the Salmon Fishery for the Township of York under the title of a Bill for the better preservation of Salmon and the same was read the first time and ordered to be read a second time on Monday next.

On Motion of Mr. Rogers that the House do now go into Committee to resume the consideration of the Bill to remedy the inconveniences arising from the present method of raising supplies to defray the expenses of the Members of the House of Assembly—seconded by Mr. Beasley

The House went into Committee accordingly.

Mr. Jones in the Chair.

The Committee resumed the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported the said Bill with amendments, which Report was accepted and the amendments were agreed to.

On the motion of Mr. Rogers seconded by Mr. Beasley

Ordered, That the said Bill be engrossed and read a third time on Monday next.

Mr. Speaker addressed the House in the following words—to wit

Gentlemen of the House of Assembly:—

As you have done me the honour to call me to the Chair of this House I feel it a duty I owe to the recollection of the services of Colonel Macdonell to move you that in order to mark the sense I entertain of his former situation as Speaker a place be considered as appropriate to him during the present Session being the first next to the Chair on the right hand.

To which recommendation the House unanimously agreed, and it was ordered accordingly.

On the motion of Mr. Solicitor General seconded by Mr. Street the House adjourned until Monday next.

Monday 11th. June 1798.

Prayers having been read

The minutes of the proceedings of last Saturday were read.

Mr. Speaker then read to the House the Standing Rules thereof up to this day.

The Order of the Day being read Mr. Street brought in the Bill for more uniform laying of assessments throughout this Province, and the same was read the first time.

Mr. Beasley moved that the said Bill be read a second time to-morrow, which motion being seconded by Mr. Fraser was carried in the affirmative.

Read a second time a Bill for the better preservation of Salmon.

On the motion of Mr. Beasley seconded by Mr. Rogers that the said Bill be now committed.

The House went into Committee accordingly.

Mr. Jessup in the Chair.

The Committee went into the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported the said Bill with amendments which report was accepted, and the said amendments having been read were agreed to.

On the motion of Mr. Beasley seconded by Mr. Rogers

Ordered, That the said Bill be engrossed and read a third time to-morrow.

Read as engrossed

A Bill to remedy the inconvenience arising from the present method of levying supplies to defray the expenses of the Members of the House of Assembly.

Ordered, That the said Bill do pass, and the same was accordingly signed by Mr. Speaker.

On the motion of Mr. Beasley seconded by Mr. Rogers

Ordered, That Mr. Solicitor General and Mr. Rogers be a Committee to carry up the said Bill to the Legislative Council and to request their concurrence therein.

Agreeably to the order of Saturday last the House resolved itself into Committee and went into the consideration of the proper measures to be adopted for compelling the attendance of the Members of this House.

Mr. Street in the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said subject and had directed him to report in writing as follows—to wit

The Committee recommend that it be ordered and resolved by the House that

Timothy Thompson
Thomas Smith
Thomas McKee Esquires

not having attended their duty in Parliament are highly reprehensible and deserve the censure of this House.

And that notice be ordered to be given to them that if they do not attend their duty more religiously in future a fine will be imposed upon them.

Which Report was accepted.

On motion of Mr. Street seconded by Mr. Jones

Ordered, That a copy of the Report of the said Committee be transmitted by the Clerk to each of the Gentlemen included in the censure thereof.

On motion of Mr. Beasley seconded by Mr. Jessup the House adjourned.

Tuesday 12th. June 1798.

Prayers having been read

The Minutes of the Proceedings of yesterday were read.

The Committee appointed to carry up to the Legislative Council the Bill to remedy the inconveniences arising from the present method of levying supplies to defray the expenses of the Members of the House of Assembly reported that they had carried the same up accordingly.

Mr. Jones moved for leave to bring in a Bill to establish a Market in the Town of York, and being seconded by Mr. Fraser leave was given accordingly.

The Order of the day being read

Mr. Speaker read the third time as engrossed a Bill for the better preservation of Salmon.

Ordered, That the said Bill do pass, and the same was accordingly signed by Mr. Speaker.

On Motion of Mr. Rogers seconded by Mr. Beasley

Ordered, That Mr. Jones and Mr. Street be a Committee to carry up the said Bill to the Legislative Council for their concurrence therein.

A Message from the Legislative Council with a Bill to amend certain parts and to repeal other parts of an Act passed in the Thirty Seventh year of the Reign of His present Majesty, entitled An Act for regulating the practice of the Court of King's Bench and to make further provision respecting the same sent down from the Legislative Council for the concurrence of this House.

Which Bill was read the first time.

Mr. Rogers moved That the said Bill do lie on the Table for the further consideration of the House, and the motion being seconded by Mr. Beasley the said Bill was ordered to lie on the Table accordingly.

The Committee appointed to carry up to the Legislative Council the Bill for the better preservation of Salmon reported that they had carried the same up accordingly.

Read for the second time a Bill for the more uniform laying of assessments throughout this Province.

Mr. Street moved that the said Bill be now committed seconded by Captain Fraser.

The House went into Committee of the whole accordingly.

Captain Fraser in the Chair.

The Committee went into the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill and had made a progress therein; and had requested leave to sit again.

Which Report was accepted and leave given accordingly.

On the motion of Mr. Robinson, seconded by Col. Macdonell the House adjourned.

Wednesday 13th. June 1798.

Prayers having been read

Mr. Jones moved for leave to bring in a Bill to-morrow to extend the provisions of an Act passed in the Thirty Fifth year of His Majesty's Reign entitled an Act for the Public registering of Deeds, Conveyances, Wills and other incumbrances which shall be made or may affect any Lands, Tenements, or Hereditaments within this Province, and being seconded by Captain Fraser leave was given accordingly.

The Order of the Day being read

Mr. Jones brought in the Bill for establishing a Market in the Town of York, which was read the first time.

On the motion of Mr. Beasley seconded by Mr. Rogers

Ordered, That the said Bill do lie upon the Table.

Mr. Beasley moved that this House do now adjourn and being seconded by Mr. Robinson the question was thereupon put

Whereupon a Division of the House took place and the motion was negatived.

Mr. Rogers then moved that this House do now resolve itself into Committee to consider further of the Bill for the more uniform laying of assessments throughout the Province, and being seconded by Captain Fraser

The House accordingly went into Committee thereon.

Captain Fraser in the Chair.

The Committee resumed the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had taken up again the consideration of the said Bill, had made a further progress therein, and had directed him to request leave to sit again, which leave was granted accordingly.

Mr. Solicitor General seconded by Colonel Macdonell moved that the Bill to amend certain parts and to repeal other parts of an Act passed in the Thirty-Seventh year of the Reign of His present Majesty entitled An Act for regulating the practice of the Court of King's Bench, and to make further provisions respecting the same be read a second time to-morrow.

And the question having been thereof put the House divided and negative the motion by a great majority.

Mr. Robinson seconded by Mr. Jones moved that the House do adjourn, and it adjourned accordingly.

Thursday 14th. June 1798.

Prayers were read.

The Minutes of the Proceedings of yesterday were read.

The Order of the Day being read

Mr. Jones brought in the Bill to extend the provisions of an Act passed in the Thirty Fifth year of His Majesty's Reign, entitled an Act for the public registering of Deeds, Conveyances, Wills and other incumbrances which shall be made or may affect any Lands, Tenements, or Hereditaments, within this Province

Which was read the first time.

On the motion of Mr. Jones seconded by Mr. Beasley.

Ordered, That the said Bill be read a second time to-morrow.

Mr. Beasley moved that the Bill for establishing a Market in the Town of York be now read a second time, and being seconded by Mr. Jessup the said Bill was read a second time accordingly.

On Motion of Mr. Jones seconded by Mr. Rogers that the House do now resolve itself into Committee to take into consideration the said Bill

The House went into Committee accordingly.

Mr. Beasley in the Chair

The Committee went into the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported the said Bill with amendments, which report was accepted.

Mr. Jones moved that the said Bill be engrossed and read a third time to-morrow, and being seconded by Mr. Rogers it was so ordered accordingly.

Mr. Speaker informed the House that he had received from the Secretary of the Province Statements of his receipts of the Provincial Revenue from the 5th. April 1797 to the 5th. April 1798, and now has the said Statements ready for the inspection and consideration of the House.

Ordered, That the same do lie upon the Table.

On the motion of Mr. Rogers seconded by Mr. Beasley the House adjourned.

Friday 15th. June 1798.

Prayers being read

The Minutes of the Proceedings of yesterday were read.

The Order of the Day being read

Mr. Speaker read the third time as engrossed a Bill to establish a Market in the Town of York.

Ordered, That the said Bill do pass and the same was accordingly signed by Mr. Speaker.

On the motion of Mr. Rogers seconded by Mr. Jones

Ordered, That Mr. Beasley and Mr. Jessup be a Committee to carry up the said Bill to the Legislative Council and to request their concurrence therein.

Which Committee being returned reported that they had carried up the said Bill accordingly.

Read the second time, a Bill to extend the provisions of an Act passed in the Thirty Fifth year of His Majesty's Reign, entitled an Act for the Public Registering of Deeds, Conveyances, Wills and other incumbrances which shall be made or may affect any Lands, Tenements, or Hereditaments within this Province.

On the motion of Mr. Jones seconded by Mr. Street that the House now go into Committee to take into their consideration the said Bill.

The House went into Committee accordingly.

Mr. Jessup in the Chair.

The Committee went into the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill and had directed him to report a progress and to request leave to sit again.

Which Report was accepted and leave was given accordingly.

On the motion of Mr. Street that the House do now go into Committee to take into consideration the Treasurer's account seconded by Mr. Beasley.

The House went into Committee accordingly.

Mr. Rogers in the Chair.

The Committee went into the examination of the said accounts.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the examination of the said Accounts and had directed him to report a progress and to request leave to sit again

Which Report was accepted and leave was given accordingly.

On the motion of Mr. Rogers that the House do now resolve itself into Committee to consider further of the Bill for the more uniform laying of assessments seconded by Mr. Street.

The House went into Committee accordingly.

Mr. Fraser in the Chair.

The Committee resumed the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone again into the consideration of the said Bill and had directed him to request leave to sit again.

Which Report was accepted and leave was given accordingly.

On motion of Mr. Robinson seconded by Mr. Street the House adjourned.

Saturday 16th. June 1798.

Prayers were read.

The Minutes of the proceedings of yesterday were read.

Mr. Robinson brought up and delivered at the Bar of the House a petition from Alexander Macdonell, Sheriff of the Home District.

Mr. Robinson seconded by Mr. Jessup moved for leave to bring in on Monday next a Bill to enable persons migrating into this Province to bring their negro slaves into the same, and leave therefore was given.

Mr. Jones moved that the House do now resolve itself into Committee to take again into consideration the Bill to extend the provisions of an Act passed in the Thirty Fifth year of His Majesty's Reign entitled an Act for the Public Registering of Deeds, Conveyances, Wills, and other incumbrances which shall be made or may affect any Lands, Tenements, Hereditaments within this Province, seconded by Mr. Beasley

And the House went into Committee accordingly.

Mr. Jessup in the Chair.

The Committee went again into the consideration of the said Bill.

Notice being given that Black Rod was at the door

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had made further progress in the consideration of the said Bill and had directed him to request leave to sit again.

Which Report was accepted and leave was given to sit again accordingly.

A Message from the Legislative Council with Bill to ascertain and establish on a permanent footing the boundary lines of the different Townships of this Province in which the Legislative Council requested the concurrence of this House.

And also a Bill to remedy the inconveniences arising from the present method of levying supplies to defray the expenses of the Members of the House of Assembly which the Legislative Council had concurred in passing with amendments.

Read the first time the said Bill to ascertain and establish on a permanent footing the boundary lines of the different Townships of this Province.

On the motion of Mr. Robinson seconded by Mr. Beasley

Ordered, That the said Bill do lie upon the Table.

Read the amendments made in the Legislative Council to the Bill to remedy the inconveniences arising from the present method of levying supplies to defray the expenses of the Members of the House of Assembly.

On the Motion of Mr. Rogers seconded by Mr. Jones.

Resolved, That the House do not concur in the said amendments.

On the motion of Mr. Robinson seconded by Mr. Jones

Ordered, That Mr. Rogers and Mr. Street be a Committee to inform the Legislative Council that this House has not concurred in the amendments of the Legislative Council in the said Bill.

Which Committee being returned reported that they had informed the Legislative Council accordingly.

Mr. Speaker read a letter from the Provincial Treasurer on the subject of the Revenue, and also a letter from the Secretary of the Province on the same subject.

Ordered, That the said letters be laid before the Committee which has leave to sit on the subject of the Revenue.

Mr. Jones seconded by Capt. Fraser moved that the House do again resolve itself into Committee to consider of the Bill to extend the provisions of an Act passed in the Thirty Fifth year of His Majesty's Reign entitled an Act for the Public Registering of Deeds, Conveyances, Wills and other Incumbrances which shall be made or may affect any Lands, Tenements or Hereditaments within this Province.

The House went into Committee accordingly.

Mr. Jessup in the Chair.

The Committee resumed the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported the said Bill with amendments, which Report was accepted.

Mr. Jones seconded by Capt. Fraser moved that the said Bill be engrossed and read a third time on Monday next, and it was ordered to be engrossed and then read accordingly.

Mr. Street seconded by Mr. Jones moved that the House do now resolve itself into Committee to take into further consideration the Bill for the more uniform laying of assessments, and the House went into Committee accordingly.

Capt. Fraser in the Chair.

The Committee took into further consideration the said Bill and went through the same.

Mr. Speaker resumed the Chair.

The Chairman reported the said Bill with amendments which report was accepted.

On the motion of Mr. Street seconded by Mr. Jones

Ordered, That the said Bill be engrossed and read a third time on Monday next.

Mr. Jones seconded by Mr. Street moved that the House do adjourn, and it adjourned accordingly.

Monday 18th. June 1798.

Prayers were read.

The Proceedings of Saturday last were read.

The Solicitor General in his place informed the House that His Honor the President had given to him in charge a written message communicating to the House His Majesty's Most Gracious pleasure respecting the Address of the two Houses of the Parliament of this Province to His Majesty during the last Session relative to the establishment of Grammar Schools and an University in this Province, which being delivered to Mr. Speaker, and he and the House standing up uncovered, the same was read by Mr. Speaker in the following words to wit.

A Message from the President to the Honorable the Legislative Council and the House of Assembly.

Peter Russell President.

The President has great satisfaction in being authorized to communicate to the Legislative Council and House of Assembly that His Majesty has been most graciously pleased to take into his Royal consideration their petition humbly imploring His Majesty that he would be graciously pleased to direct his Government in this Province to appropriate a certain portion of the waste lands of the Crown as a fund for the establishment and support of a respectable Grammar School in each District thereof and also of a College or University for the instruction of Youth in the different branches of liberal knowledge and being always ready to show his parental regard for the welfare of his subjects in the furtherance of so important an object as the instruction of youth, and to assist and encourage the exertions of his Province in laying the foundation for promoting sound learning and a religious education he has condescended to express his most gracious intention to comply with the Legislature of his Province of Upper Canada in such manner as shall be judged most effectual first by the establishment of free Grammar Schools in those Districts in which they are called for, and in the process of time by establishing other Seminaries of a larger and more comprehensive nature for the promotion of religious and moral learning and the study of the arts and sciences. With this view the President is directed to consult the Members of His Majesty's Executive Council and the Judges and Law Officers of the Crown in Upper Canada, and to report to the Secretary of State in what manner and to what extent a portion of the Crown Lands may be appropriated and rendered productive towards the formation of a fund for the above purpose out of which His Majesty may according to His pleasure allot such salaries as he may judge proper for Schoolmasters of such Free Schools, who are to be appointed by His Majesty's Governors or the person administering the Government within the Province for the time being subject to His Majesty's approbation signified through one of his principal Secretaries of State.

On the motion of Mr. Solicitor General seconded by Mr. Robinson.

Resolved, That it is the duty of this House to vote that an Address be presented to His Majesty for having been graciously pleased to take into his Royal consideration their petition for the establishment of Grammar Schools in this Province.

On the motion of Mr. Solicitor General seconded by Mr. Robinson.

Resolved, That this House do request the concurrence of the Legislative Council in a Joint Address of thanks to His Majesty for having been graciously pleased to take into His Royal Consideration their petition for the establishment of Grammar Schools in this Province.

On the motion of Mr. Solicitor General seconded by Capt. Fraser.

Ordered, That Mr. Rogers and Mr. Beasley be a Committee to communicate the preceding resolution to the Legislative Council accordingly.

Mr. Rogers seconded by Mr. Beasley moved for leave to bring in to-morrow a Bill for Licensing Hawkers, Pedlars, and Petty Chapmen.

Leave was given accordingly.

Mr. Robinson moved that the petition of Alexander Macdonell Esquire, Sheriff of the Home District, brought up on Saturday last, be now read—seconded by Mr. Jones

And the same was read accordingly.

Ordered, That the said petition be referred to the Committee to which the Bill to amend certain parts of an Act passed in the Thirty Seventh year of the Reign of his present Majesty, entitled an Act for regulating the practice of the Court of King's Bench, and to make further provision respecting the same shall be committed.

Mr. Robinson brought in the Bill for which leave was given to him on Saturday last, to enable persons migrating to this Province to bring their negro slaves into the same, under the title of a Bill to authorize and allow persons coming into this Province to settle to bring with them their Negro Slaves.

And the same was read the first time.

On the motion of Mr. Robinson seconded by Mr. Beasley

Ordered, that the said Bill be read a second time to-morrow.

Mr. Speaker read the third time as engrossed a Bill to extend the provision of an Act passed in the Thirty Fifth year of His Majesty's Reign entitled an Act for the Public Registering of Deeds, Conveyances, Wills and other Incumbrances which shall be made or shall affect any Lands, Tenements, or Hereditaments within this Province.

Ordered, That the said Bill do pass, and the same was accordingly signed by the Speaker.

On the motion of Mr. Rogers seconded by Mr. Jessup

Ordered, That Mr. Hardison and Mr. Cornwall be a Committee to carry the said Bill to the Legislative Council to request their concurrence therein.

Which Committee being returned reported that they had done so accordingly.

Mr. Street moved that the Order for reading a third time to-day as engrossed the Bill for the more uniform laying of the assessments throughout this Province be discharged, and that the said Bill be recommitted—seconded by Capt. Fraser.

And it being so ordered accordingly the House went into Committee

Captain Fraser in the Chair

The Committee went into the consideration of the said Bill again

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had reconsidered the said Bill, and having gone through the same had directed him to report the said Bill with amendments, which report was accepted.

On the motion of Mr. Rogers seconded by Mr. Street

Ordered, That the said Bill be engrossed and read a third time to-morrow.

Mr. Robinson seconded by Mr. Street moved that the Bill to amend certain parts and to repeal other parts of an Act passed in the Thirty Seventh year of the Reign of His present Majesty entitled an Act for regulating the practice of the Court of King's Bench, and to make further provision respecting the same, be now read a second time.

And the same was read a second time accordingly.

On the motion of Mr. Rogers that the House do now resolve itself into Committee to consider of the said Bill—seconded by Mr. Street

The House went into Committee of the Whole accordingly.

Mr. Jones in the Chair.

The Committee went into the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill, and had directed him to report a progress, and to request leave to sit again. Which Report was accepted and leave was given accordingly.

On the motion of Mr. Jones seconded by Colonel Macdonell the House adjourned.

Tuesday 19th. June 1798.

Prayers were read.

The Minutes of the Proceedings of yesterday were read.

Mr. Rogers moved for leave to bring in to-morrow a Bill to alter the method of performing Statute Duty on the Highways and Roads, and being seconded by Mr. Robinson leave was given accordingly.

The Order of the Day being read.

Mr. Rogers brought in the Bill for Licensing Hawkers, Pedlars and Petty Chapmen, and the same was read the first time.

On motion of Mr. Rogers seconded by Capt. Fraser

Ordered, That the said Bill be read a second time to-morrow.

Mr. Speaker read the third time as engrossed a Bill for the more uniform laying of assessments throughout this Province.

Ordered, That the said Bill do pass, and Mr. Speaker signed same accordingly.

Mr. Solicitor General seconded by Mr. Rogers moved that Mr. Jones and Mr. Beasley be a Committee to carry up the said Bill to the Legislative Council and to request their concurrence therein.

And it was so ordered accordingly.

Read the second time.

A Bill to authorize and allow persons coming into this Province to settle to bring with them their Negro Slaves.

Mr. Robinson moved that the House do now resolve itself into Committee to take into consideration the said Bill—and being seconded by Mr. Beasley

The House went into Committee accordingly.

Mr. Jessup in the Chair

The Committee went into the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported the said Bill with amendments, which Report was accepted.

On motion of Mr. Robinson seconded by Mr. Beasley

Ordered, That the said Bill be engrossed and read a third time to-morrow.

On the motion of Mr. Robinson seconded by Mr. Rogers that the House do now resolve itself into Committee to go into the further consideration of the Bill to amend certain parts and to repeal other parts of an Act passed in the Thirty Seventh year of the Reign of His present Majesty, entitled an Act for regulating the practice of the Court of King's Bench, and to make further provision respecting the same

The House went into Committee accordingly.

Mr. Jones in the Chair.

The Committee resumed the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had made a further progress in the said Bill, and had directed him to request leave to sit again, which Report was accepted and leave was given accordingly.

The Committee appointed to request the Concurrence of the Legislative Council in a joint Address of thanks to His Majesty for having been graciously pleased to take into his Royal Consideration the petition for the establishment of Grammar Schools in this Province—reported that they had carried up the said message accordingly.

The Committee appointed to carry up to the Legislative Council and to request their concurrence in the Bill for the more uniform laying of assessments throughout the Province reported having done so accordingly.

On the motion of Mr. Robinson seconded by Mr. Cornwall the House adjourned.

Wednesday 20th. June 1798.

Prayers were read.

The Minutes of the proceedings of yesterday were read

Mr. Solicitor General in his place informed the House that he was directed by His Honor the President to deliver a written Message from His Honor to this House.

Mr. Speaker read the same (with the exhibits therein referred to) as follows to wit

A Message from the President to the House of Assembly.

Peter Russell President.

The President has directed to be laid before the House of Assembly a Statement of the articles liable to Duties under the Provincial Statutes of Lower Canada of the 33rd. and 35th. of the King which have passed Coteau-du-Lac upwards from the opening of navigation in 1797 to the 31st. of December of the same year.

Likewise a printed Copy of an Act which was passed in the late Session of that Parliament for allowing to this Province a certain proportion of those duties collected during the last year amounting to the sum of £1206. 11. 6½. currency of the Province, for which the Governor has issued his warrant in favour of the Receiver General of this Province.

The President requests that the House of Assembly of this Province will be pleased to permit the Solicitor General a Member of this House to be absent a few days to attend his duties as Judge of the Home District Court.

Mr. Rogers delivered at the Bar of the House the petition of William Fortune in behalf of several inhabitants settled on the Ottawa River.

Mr. Jessup also delivered at the Bar of the House the petition of several of the inhabitants of the County of Frontenac, and likewise a petition from the Inn Keepers of the Town of Kingston.

On motion of Mr. Rogers seconded by Mr. Jessup

Ordered, That Mr. Solicitor General have leave of absence for eight days from Friday next.

The Order of the Day being read.

The Bill to ascertain and establish on a permanent footing the boundaries of the different Townships in this Province was read a second time.

On the motion of Mr. Rogers, that the House do now resolve itself into Committee to take into consideration the said Bill—seconded by Mr. Beasley

The House went into Committee accordingly

Mr. Jones in the Chair.

The Committee went into the consideration of the said Bill.

On notice that Black Rod was attending at the door

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had made some progress in the said Bill, and requested leave to sit again. Which Report was accepted and leave was given accordingly.

A Message from the Legislative Council informing the House that they concurred in the proposal of a joint Address of thanks to His Majesty for having been graciously pleased to take into His Royal Consideration the petition of the two Houses of Parliament of this Province praying for the establishment of Grammar Schools.

The House resolved itself into Committee.

Mr. Jones in the Chair.

The Committee resumed the consideration of the Bill to ascertain and establish on a permanent footing the boundary lines of the different Townships of this Province.

Mr. Speaker resumed the Chair.

The Chairman reported a further progress in the said Bill and requested leave to sit again. Which Report was accepted and leave was given accordingly.

Mr. Speaker read the third time as engrossed the Bill to authorize and allow persons coming into this Province to settle to bring with them their Negro Slaves.

Mr. Solicitor General moved that the said Bill do not pass, and that the question thereof be put and the Yeas and Nays taken down in Distinct Columns whereupon the question was put, and the numbers were as follows, to wit

YEAS	NAYS
COLONEL MACDONELL	MR. SOLICITOR GENERAL
MR. BEASLEY	MR. ROGERS
MR. HARDISON	MR. CORNWALL
MR. ROBINSON	CAPT. WILKINSON
CAPT. FRASER	
MR. JESSUP	
MR. STREET	
MR. JONES	

And therefore the motion was negatived by a majority of four Members, and it was ordered that the said Bill do pass, and the same was signed by Mr. Speaker.

Mr. Solicitor General seconded by Mr. Rogers moved that Mr. Robinson and Capt. Fraser be a Committee to carry up the said Bill to the Legislative Council and to request their concurrence therein.

And they were appointed a Committee accordingly.

On the motion of Mr. Beasley seconded by Mr. Hardison.

Ordered, That Col. Macdonell be also of the said Committee.

Read the second time.

The Bill for Licensing Hawkers, Pedlars and Petty Chapmen.

On the motion of Mr. Rogers that the House do now resolve itself into Committee to consider of the said Bill—seconded by Mr. Street.

The House went into Committee accordingly.

Mr. Beasley in the Chair.

The Committee went into the consideration of the said Bill.

The Speaker resumed the Chair.

The Committee reported the said Bill with amendments, which Report was accepted.

On the motion of Mr. Rogers seconded by Captain Fraser

Ordered, That the said Bill be engrossed and read a third time to-morrow.

On the motion of Mr. Rogers seconded by Capt. Fraser the House adjourned.

Thursday 21st. June 1798.

Prayers were read.

The Minutes of the Proceedings of yesterday were read.

Mr. Robinson seconded by Mr. Street moved that leave be given to postpone the carrying up to the Legislative Council of the Bill to authorize and allow persons coming into this Province to settle to bring with them their Negro Slaves.

Leave was given accordingly.

Mr. Rogers moved that the third reading of the Bill for Licensing Hawkers, Pedlars and Petty Chapmen be postponed until to-morrow, and being seconded by Mr. Robinson it was so ordered accordingly.

The Order of the Day being read

Read the second time the Bill to alter the method of performing the Statute Duty on the Highways and Roads within this Province.

On the motion of Mr. Rogers that the House do now resolve itself into Committee to take into consideration the said Bill—seconded by Mr. Hardison.

The House resolved itself into Committee accordingly.

Mr. Hardison in the Chair.

The Committee went into the consideration of the said Bill.

The Chairman reported the said Bill with amendments. Which Report was accepted.

On the motion of Mr. Rogers seconded by Mr. Hardison

Ordered, That the said Bill be engrossed and read a third time to-morrow.

On the motion of Mr. Rogers seconded by Mr. Beasley that the House do now resolve itself into Committee to consider further of the Bill to amend certain parts and to repeal other parts of an Act passed in the Thirty Seventh year of the Reign of His present Majesty, entitled an Act for regulating the practice of the Court of King's Bench, and to make further provision respecting the same—the House resolved itself into Committee accordingly.

Mr. Jones in the Chair.

The Committee went again into the consideration of the said Bill.

On notice that Black Rod was at the door

Mr. Speaker resumed the Chair.

The Chairman reported a further progress and requested leave to sit again, which Report was accepted and leave was given accordingly.

A Message from the Legislative Council with a Bill for the better division of this Province into Districts and Counties, and for the separation of the County of Lincoln from the Home District, passed by the Legislative Council and sent down for the concurrence of this House.

Also with a Bill for establishing a Market in the Town of York, which the Legislative Council had concurred in passing with amendments, and now sent down to this House for concurrence in the amendments.

The said Bill and the said amendments were read the first time.

On motion of Mr. Solicitor General seconded by Capt. Fraser.

Ordered, That the said Bill be read a second time to-morrow, and that the said amendments do lie upon the Table.

And then the House resolved itself again into Committee to consider further of the Bill to amend certain parts and to repeal other parts of an Act passed in the Thirty Seventh year of the Reign of His Present Majesty, entitled an Act for regulating the practice of the Court of King's Bench and to make further provision respecting the same.

Mr. Jones in the Chair.

The Committe resumed the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill and had directed him to report a further progress therein and to request leave to sit again, which Report was accepted and leave was given accordingly.

On the motion of Mr. Beasley seconded by Mr. Cornwall the House adjourned.

Friday 22nd June 1798.

Prayers were read.

The Minutes of the proceedings of yesterday were read.

Mr. Jessup moved for leave to bring in a Bill to-morrow to prevent Merchants and Shop-Keepers retailing Spirituous Liquors by small measure—seconded by Mr. Robinson, and leave was given accordingly.

Mr. Speaker read the third time as engrossed a Bill to alter the method of performing Statute Duties on the Highways and Roads within this Province.

Ordered, that the said Bill do pass, and the same was signed by Mr. Speaker accordingly.

Mr. Beasley moved that Mr. Rogers and Capt. Wilkinson be a Committee to carry the said Bill to the Legislative Council and to request their concurrence therein—seconded by Mr. Jones.

Ordered, That they be a Committee accordingly.

Mr. Speaker also read the third time as engrossed

A Bill for Licensing Hawkers, Pedlars and Petty Chapmen.

Ordered, That the said Bill do pass, and Mr. Speaker signed the same accordingly.

On the motion of Mr. Beasley seconded by Mr. Cornwall

Ordered, That Mr. Rogers and Captain Wilkinson be a Committee to carry up the said Bill to the Legislature, and to request their concurrence therein.

Mr. Rogers moved that the House do now resolve itself into Committee to proceed further into the consideration of the Bill to amend certain parts and to repeal other parts of an Act passed in the Thirty Seventh year of the Reign of His Present Majesty, entitled an Act for regulating the practice of the Court of King's Bench and to make further provision respecting the same, seconded by Mr. Robinson.

The House resolved itself into Committee accordingly.

Mr. Jones in the Chair.

The Committee went into the consideration of the said Bill.

On notice that Black Rod was attending at the door

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had proceeded further with the consideration of the said Bill and had directed him to report a progress and to request leave to sit again, which Report was accepted and leave was given accordingly to sit again this day.

A Message from the Legislative Council with a Bill to repeal part of an Act passed in the Thirty Seventh year of the Reign of His Present Majesty, entitled an Act to extend the Jurisdiction and regulate the proceedings of the District and Court of Bequests, and to make further provision for the same: which Bill was read the first time.

On the motion of Mr. Robinson seconded by Mr. Beasley

Ordered, That the said Bill be read a second time on Tuesday next.

And then the House resolved itself again into Committee to consider further of the Bill to amend certain parts and to repeal other parts of an Act passed in the Thirty Seventh year of the Reign of His Present Majesty entitled an Act for regulating the practice of the Court of King's Bench and to make further provision respecting the same.

The Committee made further progress therein.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had taken into their further consideration the said Bill and had directed him to report a progress and to request leave to sit again, which Report was accepted and leave was given accordingly.

Mr. Robinson seconded by Mr. Hardison moved that Col. Macdonell have leave of absence from this House for eight days reckoned from Monday next.

Leave was granted accordingly.

On the motion of Mr. Jessup seconded by Mr. Beasley

Ordered, That the three petitions brought up on Wednesday last by Mr. Rogers and Mr. Jessup be read to-morrow.

Ordered, That the second reading of the Bill for the better division of this Province and for the separation of the County of Lincoln from the Home District be postponed.

On motion of Mr. Robinson seconded by Mr. Jessup the House adjourned.

Saturday 23rd. June 1798.

Prayers were read.

The Minutes of the proceedings of Yesterday were read.

The Committee appointed to carry up to the Legislative Council and to request their concurrence in passing a Bill to alter the method of performing Statute Labour on the Highways and Roads within this Province, and the Bill for Licensing Hawkers, Pedlars and Petty Chapmen reported that they had carried up the said Bills as required.

The Committee appointed to carry up to the Legislative Council and to request their concurrence in passing a Bill to authorize and allow persons coming into this Province to settle to bring with them their Negro Slaves reported that they had carried up the said Bill and message accordingly.

The petition of William Fortune was read, also

The Petition of the Inhabitants of the County of Frontenac, and likewise

The Petition of the Inn-Keepers of the Town of Kingston.

Mr. Jessup brought up conformably to leave given him yesterday

A Bill to prevent Merchants and Shop-Keepers selling Spirituous Liquors by small measure, and the same was read the first time.

On the motion of Mr. Jessup seconded by Mr. Robinson

Ordered, That the said Bill be read a second time on Tuesday next.

Mr. Robinson seconded by Capt. Fraser moved that the House do now resolve itself into Committee to consider further of the Bill to amend certain parts and to repeal other parts of an Act passed in the Thirty Seventh year of the Reign of His Present Majesty entitled an Act for regulating the practice of the Court of King's Bench and to make further provision respecting the same.

And the House went into Committee accordingly.

Mr. Jones in the Chair.

The Committee resumed again the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had again taken up the consideration of the said Bill and had gone through the same with amendments, which report was accepted, and the said amendments being read were agreed to.

On the motion of Mr. Robinson seconded by Mr. Jones

Ordered, That the said amendment be engrossed, and read a third time on Monday next.

On the motion of Mr. Robinson seconded by Mr. Rogers the House adjourned.

Monday 25th. June 1798.

Prayers were read.

The Minutes of the proceedings of Saturday were read.

On the motion of Mr. Robinson that the Bill for the better division of the Province into Districts and Counties, and for the separation of the County of Lincoln from the Home District be now read a second time.

The said Bill was read a second time accordingly.

On the motion of Mr. Robinson seconded by Mr. Jessup that the House do now go into Committee to consider of the said Bill.

The House went into Committee accordingly.

Mr. Hardison in the Chair.

The Committee went into the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill and had directed him to report a progress and to request leave to sit again, which Report was accepted and leave was given to sit again accordingly.

The Order of the Day being read

Mr. Speaker read the third time as amended a Bill to amend certain parts and to repeal other parts of an Act passed in the Thirty Seventh year of the Reign of His Present Majesty, entitled an Act for regulating the practice of the Court of King's Bench and to make further provision respecting the same.

Ordered. That this House do concur in the said Bill as amended herein, and the same was accordingly signed by Mr. Speaker.

On the motion of Mr. Robinson seconded by Mr. Cornwall

Ordered, That Mr. Rogers and Mr. Hardison be a Committee to carry up the said Bill to the Legislative Council and to inform them that the House has concurred in the said Bill with amendments.

Which Committee being returned reported that they had carried up the said Bill and informed the Legislative Council as directed.

And then the House resolved itself again into Committee to consider further of the Bill for the better division of the Province into Districts and Counties, and for the separation of the County of Lincoln from the Home District.

Mr. Hardison in the Chair.

The Committee made further progress in the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported a further progress and requested leave to sit again, which Report was accepted and leave was given to sit again accordingly.

On the motion of Captain Fraser seconded by Mr. Robinson that the House do now resolve itself into Committee to resume the consideration of the Bill to ascertain and establish on a permanent footing the Boundary Lines of the different Townships of this Province.

The House resolved itself into Committee accordingly.

Dr. Jones in the Chair.

The Committee went again into the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone through the said Bill and had directed him to report the same with amendments. Which Report was accepted.

On the motion of Mr. Rogers seconded by Mr. Jones

Ordered, That the said Bill be read a third time to-morrow as amended.

On the motion of Mr. Beasley seconded by Mr. Street the House adjourned.

Tuesday 26th. June 1798.

Prayers being read

The Minutes of the Proceedings of yesterday were read.

Mr. Street brought up and delivered at the Bar a Petition signed by Robert Murray and Thomas Clark,

On the Motion of Dr. Jones seconded by Capt. Fraser

Ordered, That the Order of the Day for the third reading of the Bill to ascertain and establish on a permanent footing the boundary lines of the different Townships of this Province be discharged, and that the said Bill be now recommitted.

The House resolved itself into Committee accordingly.

Dr. Jones in the Chair.

The Committee went into the reconsideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had reconsidered the said Bill, and had gone through the same, and had directed him to report the said Bill with amendments, which Report was accepted.

Ordered, That the said Bill be read a third time as amended on this day.

The Order of the Day being read

Mr. Robinson moved that the second reading of a Bill to repeal part of an Act passed in the Thirty Seventh year of the Reign of His Present Majesty, entitled an Act to extend the Jurisdiction and regulate the proceedings of the District Court and Court of Requests and to make further provision respecting the same be postponed until Friday—seconded by Mr. Beasley.

And it was so ordered accordingly.

A Bill to prevent Merchants and Shopkeepers selling spirituous liquors by small measure was read the second time.

On motion of Mr. Jessup seconded by Mr. Robinson that the House do now resolve itself into Committee to go into the consideration of the said Bill

The House accordingly resolved itself into Committee.

Mr. Jessup in the Chair.

The Committee went into the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill and had directed him to report that it was the opinion of the Committee that the further consideration of the said Bill should be postponed. Which Report was accepted.

A Message from the Legislative Council with a Bill to extend the provisions of an Act passed in the Thirty Fifth year of His Majesty's Reign entitled an Act for the Public Registering of Deeds, Conveyances, Wills and other incumbrances which shall be made or may affect any Lands, Tenements or Hereditaments within this Province.

And also a Bill for the more uniform laying of assessments throughout this Province, in passing both which Bills the Legislative Council has concurred with amendments.

The said amendments were severally read the first time.

Mr. Rogers moved that the Bill for establishing a Market in the Town of York as concurred in with amendments by the Legislative Council be now read a second time, and that the same be immediately committed—seconded by Captain Fraser.

Which Bill having been read the House resolved itself into Committee accordingly.

Mr. Robinson in the Chair.

The Committee went into the consideration of the said Bill as amended.

Mr. Speaker resumed the Chair.

The Chairman brought the Report of the Committee in the following words to wit

As the amendments made by the Legislative Council by the Bill curtail the influence of the Market and the interference of the Magistrates to the mere limits of the Town Plot, whereas the original intention of the Bill extended to a circle of five miles, the Committee recommend it to the House to dismiss the further consideration of the said Bill as amended.

Which Report was accepted.

Ordered, on the motion of Mr. Robinson seconded by Capt. Wilkinson, that the further consideration of the said Bill as amended be postponed for three months.

On the motion of Mr. Rogers seconded by Mr. Robinson the House adjourned.

Wednesday 27th. June 1798.

Prayers were read.

The Minutes of the Proceedings of yesterday were read.

Mr. Rogers seconded by Mr. Jessup moved that the House do now resolve itself into Committee to consider of the Bill for the better division of the Province into Districts and Counties, and for the separation of the County of Lincoln from the Home District.

The House resolved itself into Committee accordingly.

Mr. Hardison in the Chair.

The Committee resumed the further consideration of the said Bill.

On notice that Black Rod was at the door

Mr. Speaker resumed the Chair.

The Chairman reported progress and requested leave to sit again which Report was accepted and leave was given accordingly.

A Message from the Legislative Council requesting a conference with a Committee of this House at the breaking up of this House to-day on the subject of the amendments in the Bill to amend certain parts and to repeal other parts of an Act passed in the Thirty Seventh year of the Reign of His Present Majesty entitled an Act for regulating the practice of the Court of King's Bench and to make further provision respecting the same.

On the motion of Mr. Robinson seconded by Capt. Fraser.

Resolved, That the House do confer by a Committee thereof to consist of five Members with a Committee of the Legislative Council on the subject of the said amendments.

On the motion of Mr. Rogers seconded by Mr. Jessup

Ordered, That Dr. Jones and Mr. Cornwall be a Committee to communicate this resolution to the Legislative Council.

Which Committee being returned reported that they had communicated the same accordingly.

On the motion of Mr. Rogers seconded by Capt. Fraser

Ordered, That Mr. Robinson, Mr. Jones, Mr. Street, Mr. Jessup and Mr. Beasley be a Committee of conference agreeably to the above resolution.

On the motion of Mr. Rogers seconded by Mr. Cornwall the House adjourned.

Thursday 28th. June 1798.

Prayers were read.

The Minutes of the Proceedings of yesterday were read.

A Message from the Legislative Council with a Bill to alter the method of performing Statute Duty on the Highways and Roads within this Province as concurred in with amendments in the Legislative Council.

Which Bill was read the first time.

Mr. Robinson seconded by Mr. Jessup moved that the Bill to extend the provisions of an Act passed in the Thirty Fifth year of His Majesty's Reign entitled an Act for the Public Registering of Deeds, Conveyances, Wills and other Incumbrances which shall be made or may affect any Lands, Tenements, Hereditaments within this Province, as amended in the Legislative Council, be now read a second time, and the same was read a second time accordingly.

On the motion of Mr. Robinson seconded by Mr. Jessup that the House do now resolve itself into Committee to consider of the said Bill

The House resolved itself into Committee accordingly.

Mr. Hardison in the Chair.

The Committee went into the consideration of the amendments made in and to the same Bill in the Legislative Council.

Mr. Speaker resumed the Chair.

The Chairman reported a progress and requested leave to sit again, which Report was accepted and leave was given accordingly.

On the motion of Mr. Street seconded by Mr. Hardison

Ordered, That the Order of the House of Tuesday last for the engrossing and reading a third time this day a Bill to ascertain and establish on a permanent footing the boundary lines of the different Townships of this Province be discharged, and that the said Bill be now recommitted.

The House resolved itself into Committee accordingly.

Mr. Hardison in the Chair.

The Committee resumed the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone again into the consideration of the said Bill and had directed him to report the same with amendments. Which Report was accepted.

On the motion of Mr. Street seconded by Mr. Hardison

Ordered, That the said Bill be engrossed as amended and read a third time to-morrow.

On the motion of Mr. Robinson seconded by Mr. Jessup the House adjourned for one hour.

Mr. Speaker resumed the Chair.

On the motion of Mr. Street seconded by Mr. Robinson that the House do now resolve itself into Committee to consider further of the Bill for the better division of the Province into Districts and Counties, and for the separation of the County of Lincoln from the Home District

The House resolved itself into Committee accordingly

Mr. Hardison in the Chair.

The Committee resumed the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone through the said Bill and had directed him to report same with amendments, which Report was accepted.

On the motion of Mr. Hardison seconded by Mr. Rogers

Ordered, That the said Bill be engrossed and read a third time on Saturday next.

On the motion of Mr. Rogers seconded by Capt. Fraser that the House do now resolve itself into Committee to consider of the Bill for the more uniform laying of assessments throughout this Province as amended in the Legislative Council

The House went into Committee.

Mr. Street in the Chair.

The Committee went into the consideration of the said Bill as amended.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone through the said Bill as amended and had concurred in the said amendments which report was accepted.

On the motion of Mr. Robinson seconded by Mr. Hardison.

Ordered, That the said Bill be engrossed as amended.

On the motion of Mr. Robinson seconded by Capt. Wilkinson that the House do now resolve itself into Committee to consider of the Bill to alter the method of performing Statute Duty on the Highways and Roads within this Province as amended in the Legislative Council.

The House resolved itself into Committee.

Mr. Robinson in the Chair.

The Committee went into the consideration of the said Bill as amended.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee recommended to the House to concur in the amendments made in the Legislative Council to the said Bill, and advise that a Bill be brought in to-morrow as draughted by the Committee to enable the Treasurer of each District to recover the sums of money chargeable for the repairs of the Highways and Roads which may be due and owing from persons not resident in the Province. Which Report was accepted.

On the motion of Mr. Rogers seconded by Mr. Hardison

Ordered, That the said Bill be engrossed as amended and read a third time to-morrow.

On the motion of Mr. Beasley seconded by Mr. Hardison the House adjourned.

Friday 29th. June 1798.

Prayers were read.

The Minutes of the Proceedings of yesterday were read.

A Message from the Legislative Council with a Bill to repeal an Ordinance passed in the Twenty Fifth year of the Reign of His Present Majesty entitled an Ordinance concerning Advocates, Attornies, Solicitors and Notaries, and for the more easy collection of His Majesty's Revenues as far as the same relate to Notaries.

Which Bill was read the first time.

On the motion of Mr. Robinson seconded by Mr. Jessup

Ordered, That the said Bill be read a second time to-morrow.

The Order of the Day being read.

Read the first time as brought in and draughted by the Committee of the House yesterday a Bill to enable the Treasurer of each District to recover the sums of money chargeable for the repairs of the Highways and Roads which may be due and owing from persons not resident in this Province.

On the motion of Mr. Robinson seconded by Mr. Cornwall

Ordered, That the Order of the day for the second reading of the Bill to repeal part of an Act passed in the Thirty Seventh Year of the Reign of His Majesty entitled an Act to extend the Jurisdiction and regulate the Proceedings of the District Court and Court of Requests and to make further provision for the same be discharged; and that the same be read a second time to-morrow.

Mr. Speaker read a third time as engrossed a Bill to alter the method of performing Statute Labor on the Highway and Roads within this Province, as amended in the Legislative Council and concurred in by this House.

Ordered, That the said Bill do pass as amended and the same was accordingly signed by Mr. Speaker.

Mr. Speaker read a third time the Bill to ascertain and establish on a permanent footing the boundary lines of the different Townships of this Province, as amended in the Legislative Council, with the amendments engrossed.

Ordered, That the said Bill do pass as amended.

On the motion of Mr. Rogers seconded by Mr. Jones

Ordered, That Mr. Solicitor General and Capt. Fraser be a Committee to carry up the said Bill to the Legislative Council, and to inform them that the House has concurred in passing the same Bill with amendments, and requests their concurrence in the amendments.

Which Committee being returned reported that they had carried up the said Bill and had delivered the said Message accordingly.

On the motion of Mr. Rogers seconded by Mr. Jones

Ordered, That Mr. Solicitor General and Mr. Street be a Committee to report the draught of an Address of thanks to the King's Most Excellent Majesty for having been graciously pleased to take into His Royal Consideration the Humble Petition of the Parliament of this Province for the establishment of Grammar Schools &c. in this Province.

On the motion of Mr. Robinson seconded by Mr. Jones the House adjourned.

Saturday 30th. June 1798.

Prayers were read.

The Minutes of the Proceedings of yesterday were read.

Mr. Rogers seconded by Mr. Jones moved for leave to bring in on Monday a Bill to provide for the expenses of the Members of the Assembly while attending their service in Parliament.

Leave was given accordingly.

The Order of the Day being read

The Bill to enable the Treasurer of each District to recover the monies due towards repairing the Highways and Roads and chargeable on the real property of persons not resident within this Province was read the second time.

On the motion of Mr. Robinson seconded by Mr. Jessup the House resolved itself into Committee to take into consideration the said Bill.

Mr. Cornwall in the Chair.

The Committee went into the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported the said Bill which Report was accepted.

On the motion of Mr. Rogers seconded by Mr. Jessup

Ordered, That the said Bill be engrossed and read a third time on Monday next.

The Bill to repeal part of an Act passed in the Thirty Seventh year of the Reign of His Present Majesty, entitled an Act to extend the Jurisdiction and regulate the Proceedings of the District Court and Court of Requests and to make further provision for the same was read the second time.

The Bill to repeal an Ordinance passed in the Twenty Fifth year of the Reign of His Present Majesty entitled an Ordinance concerning Advocates, Attornies, Solicitors and Notaries and for the more easy collection of His Majesty's Revenues as far as the same relates to Notaries was read the second time.

On motion of Mr. Rogers seconded by Mr. Street the House resolved itself into Committee to take into consideration the said Bill.

Mr. Solicitor General in the Chair.

The Committee went into the consideration of the said Bill.

On notice that Black Rod was in attendance

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill and had directed him to report a progress and to request leave to sit again this day. Which Report was accepted and leave was given.

A Message from the Legislative Council informing that they had concurred in the amendment made in and by this House in the Bill to ascertain and establish on a permanent footing the boundary lines of the different Townships of this Province.

And then the House resolved itself again into Committee to consider further of the Bill to repeal an Ordinance passed in the Twenty Fifth year of the Reign of His Present Majesty entitled an Ordinance concerning Advocates, Attornies, Solicitors and Notaries, and for the more easy collection of His Majesty's Revenues, as far as the same relate to Notaries.

Mr. Solicitor General in the Chair.

The Committee resumed the consideration of the said Bill and went through the same.

Mr. Speaker resumed the Chair.

The Chairman reported the said Bill without any amendments which Report was accepted.

On the motion of Mr. Rogers seconded by Mr. Robinson

Ordered, That the said Bill be read a third time on Monday.

Mr. Speaker read the third time as amended in this House with the amendments engrossed a Bill for the better division of this Province into Districts and Counties, and for the separation of the County of Lincoln from the Home District.

Ordered, That the said Bill do pass as amended and the same amendments were accordingly signed by Mr. Speaker.

On the motion of Mr. Robinson seconded by Dr. Jones

Ordered, That Mr. Solicitor General and Mr. Rogers be a Committee to carry up the said Bill to the Legislative Council and to inform the same that this House has concurred in passing the said Bill with amendments and requests their concurrence in the amendments.

Which Committee being returned reported that they had carried up the said Bill and Message.

On the motion of Mr. Rogers seconded by Mr. Beasley the House resolved itself into Committee to consider further of the Bill to extend the provisions of an Act passed in the Thirty Fifth year of His Majesty's Reign entitled an Act for the Public Registering of Deeds, Conveyances, Wills and other Incumbrances which shall be made or may affect any Lands, Tenements or Hereditaments within this Province, as amended in the Legislative Council.

Mr. Jones in the Chair.

The Committee went into the further consideration of the said Bill and through the same.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone again into the consideration of the said Bill as amended and had gone through the same, which Report was accepted.

Ordered, on the motion of Mr. Rogers seconded by Mr. Robinson, that the said Bill as amended be read a third time in three months.

On the motion of Mr. Jessup seconded by Mr. Beasley the House adjourned.

Monday 2nd. July 1798.

Prayers were read.

The Minutes of the Proceedings of Saturday were read.

Mr. Robinson delivered at the Bar the Petition of the Clerk of the Legislative Council.

Mr. Robinson seconded by Mr. Jessup moved that Mr. Rogers and Mr. Jessup be a Committee to carry up to the Legislative Council the Bill to alter the method of performing Statute Duty on the Highways; and the Bill for the more uniform laying of assessments throughout this Province as passed with the concurrence of this House in the amendments of the Legislative Council.

Which Committee being returned reported that they had carried up the same as directed.

On the motion of Mr. Rogers seconded by Mr. Jones that the Order for the third reading of the Bill to enable the Treasurer of each District to recover the monies due towards repairing the Highways and Roads chargeable on the real property of persons not residing within the Province be discharged, and that the House do now resolve itself into Committee to reconsider the said Bill.

The House resolved itself into Committee accordingly

Mr. Robinson in the Chair.

The House went into the reconsideration of the said Bill.

On notice that Black Rod was in waiting

Mr. Speaker resumed the Chair.

The Chairman reported a progress and that he was directed by the Committee to request leave to sit again this day, which report was accepted and leave was given accordingly.

A Message from Council informing that they requested a conference with this House upon the subject of the amendments made to a Bill to amend certain parts and to repeal other parts of an Act passed in the Thirty Seventh year of the Reign of His Present Majesty entitled an Act for regulating the practice of the Court of King's Bench and to make further provision respecting the same, and also upon the subject of those made in a Bill for the better division of this Province into Districts and Counties, and for the separation of the County of Lincoln from the Home District.

And then the House resolved itself again into Committee to go further into the consideration of the Bill to enable the Treasurer of each District to recover the monies due towards repairing the Highways and Roads chargeable on the real property of persons not residing within this Province.

Mr. Robinson in the Chair.

The Committee went through the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone through the said Bill and had agreed thereto with amendments, which Report was accepted.

On the motion of Mr. Rogers seconded by Mr. Street

Ordered, That the said Bill be engrossed and read a third time to-morrow.

Mr. Beasley seconded by Mr. Cornwall moved that Mr. Jones, Mr. Solicitor General, Capt. Fraser, Mr. Jessup and Captain Wilkinson be a Committee to confer with the Legislative Council agreeable to their message of this day.

And the question thereof having been put the same was negatived.

Mr. Solicitor General seconded by Mr. Jessup then moved that the following gentlemen be a Committee for that purpose—to wit, Mr. Street, Mr. Cornwall, Mr. Robinson, Mr. Rogers, Mr. Jones, Mr. Solicitor General, Capt. Fraser, Mr. Jessup and Capt. Wilkinson.

And the question thereof having been put was carried in the affirmative unanimously.

Mr. Speaker read the third time a Bill to repeal an Ordinance passed in the Twenty Fifth year of His Majesty's Reign entitled an Ordinance concerning Advocates, Attornies, Solicitors and Notaries, and for the more easy collection of His Majesty's Revenues as far as the same relate to Notaries.

Ordered, That the same do pass, and Mr. Speaker signed the same accordingly.

Ordered, on the motion of Mr. Rogers seconded by Mr. Street, That Mr. Jones and Mr. Solicitor General be a Committee to inform the Legislative Council that this House accedes to their request respecting a conference on a Bill for the better division of the Province into Districts and Counties, and that the said Committee do inform the Legislative Council that the Committee appointed to confer with a

Committee of the Legislative Council on the subject of the Judicature Bill have not reported, but are ready to confer further with the Committee of the Legislative Council thereon; and that the said Committee do also inform the Legislative Council that this House has passed the Bill for repealing the Ordinance concerning Notaries without any amendments.

Which Committee being returned reported that they had delivered to the Legislative Council the said Message, and had carried up the said Bill for repealing the Ordinance concerning Notaries.

Mr. Rogers brought in the Bill to provide for the expenses of Members of the House of Assembly while attending their service in Parliament, and the same was read the first time.

On the motion of Mr. Rogers seconded by Mr. Robinson the said Bill was read the second time.

On the motion of Mr. Robinson seconded by Mr. Rogers that the House do now resolve itself into Committee to go into the consideration of the said Bill.

The House went into Committee accordingly.

Mr. Cornwall in the Chair.

The Committee went through the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported the same, which Report was accepted.

On the motion of Mr. Rogers seconded by Mr. Jones

Ordered, That the said Bill be engrossed and read a third time to-morrow.

A Committee appointed to draft in conference with a Committee of the Legislative Council an Address to the King's Most Excellent Majesty's most gracious answer to the Petition of the Parliament of this Province respecting Grammar Schools &c. reported that they had drafted an Address accordingly, which would be sent down by a Message from the Legislative Council this day.

A Message from the Legislative Council with the said Address engrossed and signed by the Honorable the Speaker of the Legislative Council.

Mr. Speaker read the said Address.

On the motion of Mr. Solicitor General seconded by Mr. Street.

Ordered, That this House do concur in the said Address, and the same was signed by the Speaker accordingly.

On the motion of Mr. Jones seconded by Mr. Robinson the House adjourned.

Tuesday 3rd. July 1798

Prayers were read.

The Minutes of the Proceedings of yesterday were read.

The Committee appointed to confer with a Committee of the Legislative Council on the subject of the amendments made in and by this House in the Bill for the better division of the Province reported that all the amendments had been concurred in excepting that one amendment had been modified by altering the name of the County of Rideau into that of the County of Carleton—which Report was accepted.

The Committee appointed to confer with a Committee of the Legislative Council on the subject of the amendments made by this House in and to the Bill to amend certain parts and to repeal other parts of an Act passed in the Thirty

Seventh year of the Reign of His Present Majesty, entitled an Act for regulating the practice of the Court of King's Bench and to make further provision respecting the same reported that the Committee of Council would not concur in the amendments made by the House in the said Bill, which Report was accepted.

A Message from the Council informing that they had concurred in the amendments made in this House in and to the Bill for the better division of the Province, with the alteration of Carleton for Rideau as recommended by the Committee of Conference.

And also with a Bill to amend part of an Act passed in the Thirty Fourth year of the Reign of His Majesty, entitled an Act to establish a Superior Court of Civil and Criminal Jurisdiction, and to regulate the Court of Appeal, and also to amend and repeal part of an Act passed in the Thirty Seventh year of the Reign of His Majesty entitled an Act for regulating the practice of the Court of Kings Bench and to make further provision respecting the same.

Which Bill was read the first time.

Mr. Robinson seconded by Mr. Rogers moved that the said Bill be read a second time to-morrow, and the question thereof having been put the same was negatived.

Captain Fraser moved seconded by Mr. Solicitor General that the said Bill be now read a second time and the question thereof having been put the same was carried in the affirmative and the said Bill was accordingly read a second time.

Mr. Speaker read the third time as engrossed

A Bill to provide for the Expenses of the Members of the House of Assembly while attending their service in Parliament.

Ordered, That the said Bill do pass, and the same was accordingly signed by Mr. Speaker.

On motion of Mr. Solicitor General seconded by Mr. Jones.

Ordered, That Mr. Street and Mr. Cornwall be a Committee to carry up the said Bill to the Legislative Council and to request their concurrence therein.

Which Committee being returned reported that they had carried up the said Bill and delivered the said Message accordingly.

Mr. Speaker read the Bill a third time as engrossed

A Bill to enable the Treasurer of every District to recover the sums due by absentees for the repairs of the Highways.

Ordered, That the said Bill do pass, and the same was accordingly signed by Mr. Speaker.

On the motion of Mr. Beasley seconded by Mr. Jessup

Ordered, That Mr. Rogers and Mr. Jessup be a Committee to carry up the said Bill to the Legislative Council and to request their concurrence therein.

Which Committee being returned reported that they had carried up the said Bill and delivered the said Message.

On the motion of Mr. Rogers seconded by Mr. Jessup

Ordered, That Mr. Solicitor General and Mr. Beasley be a Committee to inform the Legislative Council that this House has concurred in the Address of thanks to His Majesty for his gracious intentions respecting Grammar Schools and do return the said Address to the Legislative Council, and further to inform the Legislative Council that this House requests that they would appoint a Committee of their House to accompany one from this House to wait upon His Honor the President to know when His Honor will receive the two Houses with the said Address; and do likewise carry up the Bill for repealing the Ordinance respecting Notaries as concurred in by this House without any amendments.

Which Committee being returned reported that they had carried up the Address and Bill and delivered the several messages as directed.

On the motion of Mr. Robinson seconded by Mr. Jones that the House do now resolve itself into Committee to consider of the Bill to amend part of an Act passed in the Thirty Fourth year of His Majesty's Reign entitled an Act to establish a Superior Court of Civil and Criminal Jurisdiction and to regulate the Court of Appeal and also to repeal and amend part of an Act passed in the Thirty Seventh Year of His Majesty entitled an Act for regulating the practice of the Court of King's Bench and to make further provision respecting the same.

The House went into Committee accordingly.

Dr. Jones in the Chair.

The Committee went into the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported the said Bill without any amendment, which Report was accepted.

On the motion of Mr. Robinson seconded by Mr. Rogers.

Ordered, That the said Bill be read a third time to-morrow.

On the motion of Mr. Robinson seconded by Mr. Rogers the House resolved itself into Committee to consider of the Bill to repeal part of an Act passed in the Thirty Seventh Year of the Reign of His Majesty, entitled an Act to extend the Jurisdiction and regulate the Proceedings of the District Court and Court of Requests and to make further provision for the same.

Mr. Beasley in the Chair.

The Committee went into the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported the said Bill with amendments. Which Report was accepted.

On the motion of Mr. Robinson seconded by Mr. Cornwall.

Ordered, That the said amendments be now engrossed and read a third time this day.

A Message from Council with an Address to His Honor the President.

Mr. Speaker read the said Address.

On the motion of Mr. Solicitor General seconded by Mr. Rogers

Ordered, That the House do concur in the said Address, and the same was accordingly signed by Mr. Speaker.

And then the two Houses of Parliament waited upon His Honor the President with their joint Addresses to His Majesty and to His Honor, and thereupon His Honor was pleased to address the two Houses of Parliament as follows, to wit.

Honorable Gentlemen of the Legislative Council and Gentlemen of the Assembly:—

I shall take the earliest opportunity of transmitting your very loyal Address to His Majesty.

The House being returned

Mr. Speaker read a third time as amended with the engrossed amendments the Bill to amend part of an Act passed in the Thirty Seventh of His Majesty's Reign, entitled an Act to extend the Jurisdiction and regulate the Proceedings of the District Court and Court of Requests and to make further provision for the same.

Ordered, That the said Bill do pass, and the same was accordingly signed by Mr. Speaker.

On the motion of Mr. Jessup seconded by Mr. Rogers

Ordered, That Mr. Robinson and Capt. Fraser be a Committee to carry up the said Bill as amended, and to request the concurrence of the Legislative Council in the said amendments.

Which Committee being returned reported that they had carried up the said Bill to the Legislative Council and had requested their concurrence in the amendments.

On motion of Mr. Rogers seconded by Mr. Beasley the House resolved itself into Committee on the subject of the Revenue.

Mr. Rogers in the Chair.

The Committee went into the examination of the Public Accounts.

Mr. Speaker resumed the Chair.

The Chairman reported a progress and requested leave to sit again, which Report was accepted.

On motion of Mr. Rogers the House adjourned.

Wednesday 4th. July 1798.

Prayers were read.

The Minutes of the Proceedings of yesterday were read.

A Message from the Legislative Council informing that they requested a conference on the subject of the amendments made in this House in and to the Bill to repeal part of an Act passed in the Thirty Seventh Year of the Reign of His Majesty, entitled an Act to extend the Jurisdiction and regulate the Proceedings of the District Court and Court of Requests and to make further provision for the same.

Another Message from Council informing that they had concurred in passing the Bill for the better division of the Province as amended in this House with the further alteration of the Committee of Conference.

On the motion of Mr. Rogers seconded by Mr. Jessup

Ordered, That Mr. Robinson, Mr. Solicitor General, and Captain Fraser be a Committee to inform the Legislative Council that the House will appoint a Committee to confer with their Committee on the subject of the amendments made in and to the Bill mentioned in the first message to-day.

On the motion of Mr. Rogers seconded by Mr. Jessup.

Ordered, That Mr. Robinson, Mr. Solicitor General, and Captain Fraser be a Committee to confer with a Committee of the Legislative Council on the above subject.

The Committee appointed to carry up the said Bill and to go into conference accordingly reported that they had delivered the said Message to the Legislative Council, and had afterwards conferred with a Committee of that Honorable House on the subject of the amendments made in this House in and to the said Bill, and that the Committee of this House had concurred in rescinding all the amendments made in this House in and to the said Bill excepting as to the mileage of the Court of Requests, which the conference had concurred in leaving as amended by this House.

On the Question that the House do accept the said Report the House divided.

YEAS	NAYS
MR. SOLICITOR GENERAL	MR. ROBINSON
MR. STREET	MR. CORNWALL
MR. JONES	
MR. ROGERS	
MR. BEASLEY	
CAPT. FRASER	
MR. HARDISON	
MR. JESSUP	
CAPT. WILKINSON	

And therefore the question was carried in the affirmative by a majority of seven.

Mr. Speaker then read the third time the Bill to amend part of an Act passed in the Thirty Fourth Year of His Majesty's Reign, entitled an Act to establish a Superior Court of Civil and Criminal Jurisdiction and to regulate the Court of Appeal, and also to repeal and amend part of an Act passed in the Thirty Seventh Year of the Reign of His Majesty, entitled an Act for regulating the practice of the Court of King's Bench, and to make further provision respecting the same.

Ordered, that the said Bill do pass, and Mr. Speaker accordingly signed the same.

On the motion of Mr. Jessup seconded by Mr. Street

Ordered, That Mr. Hardison and Capt. Wilkinson be a Committee to return the said Bill to the Legislative Council, and to inform them this House has concurred in passing the same without any amendments.

Which Committee being returned reported that they had returned the said Bill to the Legislative Council and had carried up the said Message.

And then the House resolved itself into Committee to go into the consideration of the Revenue.

Mr. Rogers in the Chair.

The Committee took into their consideration the Provincial Revenue and the monies due for Public Services.

Mr. Speaker resumed the Chair.

The Chairman reported a progress and requested leave to sit again to-morrow by the Hour of Nine O'clock, which Report was accepted and leave was given accordingly.

On the motion of Mr. Rogers seconded by Mr. Jones

Resolved, That Mr. Speaker do in the name of this House request His Honor the President to be pleased to direct that Thomas Ridout Esquire do receive His Majesty's Commission as Sergeant at Arms of this House.

On the motion of Capt. Fraser seconded by Mr. Robinson.

Ordered, That Mr. Hardison have leave of absence for the remainder of the Session.

On the motion of Mr. Robinson seconded by Mr. Hardison the House adjourned.

Thursday 5th. July 1798.

The House met in Committee.

Mr. Rogers in the Chair.

The Committee went into the consideration of the Revenue and of the application of the Public monies.

At the hour of Ten Mr. Speaker took the Chair.

The Chairman reported progress and requested leave to sit again, which Report was accepted and leave was given to sit again this day.

The Minutes of the Proceedings of yesterday were read.

And then the House resolved itself into Committee on the subject of the Revenue and on the application thereof.

The Committee went through the consideration of the said subjects.

Mr. Speaker resumed the Chair.

The Chairman reported the Proceedings of the Committee in writing as follows, to wit.

Committee of the Whole House, 15th. June 1798.

Mr. Rogers in the Chair.

The Committee went into the consideration of the accounts.

Read a Report of the Public Revenue collected on Still Licenses issued from the 5th. April 1797 to the 5th. April 1798 amounting to £158. 11. 6¼.

Which the Committee observes contains an Account of 26 Still Licenses in the Eastern, Western, Midland and Home Districts, containing together 2537¼ gallons.

Also a Report (No. 2) of the Public Revenues collected on Tavern Licenses issued from 5th. April 1797 to 5th. April 1798 amounting to £74. 0. 0.

Which Report the Committee observes contains an account of 74 Licenses issued in the Eastern, Western, and Midland and Home Districts.

Also a Report (No. 3) of Public Revenue collected on Shop Licenses from 5th. April 1797 to 5th. April 1798, being for one License to Hannah McBride in the Home District, amounting to £1. 0. 0. Total £233. 11. 6¼.

Amounting to £233. 11. 6¼. of which sum the Committee perceive that he has only paid £46. on account to the Provincial Treasurer, leaving a balance in his hands of £187. 11. 6¼. exclusive of such monies as he may have received upon Still Tavern and Shop Licenses commencing the 5th. April 1798, all which monies by an Act entitled an Act to increase the Revenue and to compel the accounting more regularly for the same to the Treasurer of the Province he is directed to pay into the hands of the Provincial Treasurer within one calendar month after he shall have received or collected the same, and to use efficient means of compelling all persons employed by or under him as Agents or Deputies in receiving and collecting the duties imposed by this Parliament to transmit to him from time to time without delay all such monies as they shall so receive and collect, which monies also the Secretary is required to pay to the Provincial Treasurer within one month after he has received the same.

Resolved to recommend to the House that the Secretary be written to know whether since the payment of £46. 0. 0. before mentioned he has paid the balance in his hands on the 5th. April 1798 of £187. 11. 6¼. into the hands of the

Provincial Treasurer, and whether in consequence of the Act before recited he has paid any monies he may have received for duties commencing 5th. April 1798 and if he has not it may be done immediately and at the same time to require from the Secretary information whether or not the following persons for the year ending the 5th. April 1797 were licensed. John Coone, Home District; Abner Miles, York; Ed. Wright, York, Patrick Mealey, York, Joseph Hunt, York, David Cole, Adolphustown; Michael Haines, Williamsburg; John Strower, Matilda; Philip Pember, Kingston; Richard Wilson, King's Head Beech.

And for the year ending 5th. April 1798. John Robinson, Distiller, Eastern District, Edward Wright, Patrick Mealey and Hannah McBride.

The Committee also recommend that application be made to the Receiver General to know what number of Shop, Tavern and Still Licenses he issued from 5th. April 1797 to 5th. April 1798 and what number are returned to him. They request in future a sketch of this kind from him to be a check upon the Public Accounts as is usual in such cases, and if he can suggest a more ready method that the House beg for his information.

The Committee note that in the Treasurer's account £100. 0. 0. is paid to Colonel Mácdonell for a Commission into Lower Canada in the year 1796 and another in 1797 which they anticipate to be a clerical mistake, as by the Journal it should appear to be in 1794. (Progress was reported.)

Committee of the Whole House. (3rd. July 1798.)

Mr. Rogers in the Chair.

The Committee met pursuant to their adjournment on the 15th. ult.

Two letters from the Provincial Treasurer stating that 99 shop licenses, 99 tavern licenses, and 50 still licenses were issued to the Secretary for the periods between 5th. April 1797 and 5th. April 1798.

The Committee observe that the Secretary gives credit for only 1 shop license, 74 tavern licenses, and 26 still licenses. They therefore require information of the Secretary how he has disposed of the remaining 98 shop licenses, 25 tavern licenses, and 24 still licenses. They desire also to be acquainted why the Licenses issued to Coone, Miles, Wright and Hunt, ending 5th. April 1797 were only known to the Secretary at this late period, and why Mealy's shop license was not credited.

The Secretary will make further inquiry on the reference made respecting Cole, Haines, Strower, and Pember, and report to the House at their next sitting.

The Committee cannot dispense with the Act of Parliament requiring the immediate payment of all monies whatever into the Treasurer's hands, and otherwise they look for compliance with their order and expect to receive the Secretary's further report to-morrow, as well as an intimation from the Treasurer that he has received all monies whatever that may be due, as the House is now about to proceed upon the consideration of the disbursements to be made in the usual manner.

They recommend that immediate communication of these proceedings be made to the Secretary with the consent of the House. (Progress reported.)

Committee of the Whole House. (4th. July 1798.)

Mr. Rogers in the Chair.

The Committee met pursuant to their adjournment of yesterday and read two letters (No. 5 & 6) from the Secretary, and a letter (marked D) from the Treasurer.

One of the former states that the Secretary has paid this day into the hands of the Treasurer the monies collected by him on Licenses, and the Treasurer acknowledges the receipt of £61. 15. 0. on account from 5th. April 1798.

The other of the Secretary's letters corrects a mistake of the word "now" for "not" and states that he has 45 blank Shop Licenses, 25 blank Tavern Licenses and 24 blank Still Licenses to account for to the Receiver General.

Read also the Treasurer's letter of this date (marked E). The Committee then perceiving that the sum of £1529. 8. 7¼. is to be disposed of as per paper marked A proceeded on the consideration of the disbursements necessary to be voted, and having made some progress adjourned till to-morrow. (Progress reported.)

Committee of the Whole House. (July 5th. 1789.)

Mr. Rogers in the Chair.

The Committee met pursuant to adjournment, and after mature deliberation recommended it to the House to vote the following sums, to wit.

To the Late Speaker the Balance due to him	200.	0.	0.
To the Present Speaker	200.	0.	0.
To go towards defraying the expenses of printing the Acts £50, the Journals £40., and £10. still due to	100.	0.	0.
Mr. Tiffany for printing the Journals of the 5th. Sessions of the last Parliament for the	249.	0.	0.
use of the Province To ditto to reimburse twelve Members their travelling expenses and during their attendance in Parliament this Session the new mode of assessment not taking place this year			
To the Master in Chancery	50.	0.	0.
Carried forward	799.	0.	0.

Brought forward	799. 0. 0.
To the Clerk of the Legislative Council	125. 0. 0.
To the Usher of the Black Rod	50. 0. 0.
To the Chaplain of the Legislative Council	30. 0. 0.
To the Doorkeeper of ditto	15. 0. 0.
To the same allowance to the Officers of the House of Assembly	220. 0. 0.
To the Clerks of both Houses for stationery	20. 0. 0.
To ditto Office firewood and Candles	20. 0. 0.
Towards liquidating £750. due to the Receiver General	250. 0. 0.
	1529. 0. 0.

The Committee then resolved that a Copy of their Journal be presented to the House as constituting their Report, which Report was accepted.

A Message from His Honor the President requiring the attendance of the House in the Legislative Council Chamber.

And the House having attended there accordingly His Honor was pleased to give his assent in His Majesty's name to the following Acts, to wit:—

An Act to repeal an Ordinance passed in the Twenty Fifth year of His Majesty's Reign, intituled an Ordinance concerning Advocates, Attornies, Solicitors, and Notaries, and for the more easy collection of His Majesty's Revenues.

An Act to ascertain and establish on a permanent footing the boundary lines of the different Townships of this Province.

An Act to repeal part of an Act passed in the Thirty Seventh year of the Reign of His Majesty, entitled an Act to extend the Jurisdiction and regulate the proceedings of the District Court and Court of Requests and to make further provision for the same.

And His Honor at the same time was pleased to reserve the following Bills for the signification of His Majesty's pleasure thereon, to wit:—

A Bill for the better division of the Province.

A Bill to amend part of an Act passed in the Thirty Fourth year of the Reign of His Majesty, entitled an Act to establish a Superior Court of Civil and Criminal Jurisdiction, and to regulate the Court of Appeal, and also to amend and repeal part of an Act passed in the ThirtySeventh Year of the Reign of His Majesty, entitled an Act for regulating the practice of the Court of Kings Bench and to make further provision respecting the same.

A Bill to alter the method of performing Statute Labour on the Highways.

A Bill for the more uniform laying of assessments.

After which His Honor was pleased to make the following Speech to both Houses of Parliament.

Honorable Gentlemen of the Legislative Council and Gentlemen of the House of Assembly:—

The calls of your private concerns are becoming too urgent for me to wish to longer detain you from them. I look forward, therefore, with an anxious hope of seeing the roads to the Capital in such a state of improvement as may admit of the assembling the Legislature in Winter, when more time might be spared to your Parliamentary duties without materially interfering with your other avocations.

At this very critical and eventful period I cannot too earnestly impress upon your minds the necessity of strictly enforcing your Militia Laws that your active vigilance in your respective stations may render it difficult for any person to screen himself from being enrolled in some Militia Corps, so that every man capable of bearing arms may be held in constant readiness to assist in repelling all hostile attempts against either Province.

I must not at the same time omit to call upon you for your most zealous exertions in suppressing vice, immorality and profaneness among the people, that by the general practice of true piety and virtue this Province may merit the Divine Protection and Favour, without which no Nation or individual—though ever so mighty—can expect to prosper.

And then the Honorable the Speaker of the Legislative Council in His Honor the President's Name declared the Parliament prorogued until Monday the Thirtieth day of August next, and it was prorogued accordingly.

A True Copy (Signed)

A. Macdonell, Clerk Ass'y.

[Journal of the Assembly of the Province of Upper Canada in 1798.
Certified to be a True Copy

(Signed) George Mayer

Librarian and Keeper of
Records.

Colonial Office, 18th July 1835.]

Journal

OF THE

HOUSE OF ASSEMBLY

OF THE

Province of Upper Canada

1799

Journal
OF THE
HOUSE OF ASSEMBLY
OF THE
Province of Upper Canada,
1799.

At third session of the second Parliament of the Province of Upper Canada, begun and held in the Town of York on Wednesday the Fifth day of June in the Thirty-Ninth year of the Reign of Our Sovereign Lord George the Third, of Great Britain, France and Ireland, King, Defender of the Faith, and so forth; and in the year of Our Lord One Thousand Seven Hundred and Ninety Nine.

York, Wednesday, 5th. June 1799.

This being the day appointed by proclamation for the Provincial Parliament to meet and sit, and the Officers of the House according to their duty attending in their places

Mr. Speaker took the Chair

And for want of a Quorum adjourned until Monday next.

Monday 10th. June 1799.

According to adjournment Mr. Speaker took the Chair; and for want of a Quorum adjourned until Wednesday next at Twelve o'clock.

Wednesday 12th. June 1799.

Prayers were read.

Mr. Speaker informed the House that during the late recess an Instrument in writing had been delivered and addressed to him in the following words.

"We whose names are underwritten, being two Members of the House of Assembly, do hereby certify that Christopher Robinson, late Member of the said House, serving as the Knight of the Shire for the County of Addington, died upon the second day of November.

"And we give you this notice to the intent that you may issue your Warrant to the Clerk of the Crown to make out a new writ for the election of a Knight to serve in Parliament for the said County of Addington, in the room of the said Christopher Robinson.

Given under Our hands this Twentieth day of Novr. 1798.

To the Hon.	ROBERT I. D. GRAY
D. W. Smith	Member for Stormont.
Speaker of the	TIM y. THOMPSON
House of Assembly.	Member for Lennox.

And that in consequence thereof he had issued agreeable to the usage of Parliament his Warrant for a new Writ to issue for the election of a Knight to serve for the County of Addington in the room of the said CHRISTOPHER ROBINSON, Esq. deceased.

His Majesty's Writ of Dedimus Potestatem directed to Angus Macdonell, Esquire, was read, by which the said Angus Macdonell appeared duly authorized to administer the Oath appointed by Law to be taken and subscribed by every Member of this House previous to sitting or voting therein. After which Mr. Rogers and Mr. Jessup brought within the Bar William Fairfield, Esquire, and leading him up to the Chair introduced him to Mr. Speaker as the Knight elected to represent in Parliament the County of Addington in the room of the late Christopher Robinson, Esquire, deceased.

And thereupon Mr. Fairfield produced an indenture entered into by and between Pool England, Esquire, Returning Officer for the County of Addington and certain of the principal inhabitants of the said County which was compared and collated with a counterpart thereof as laid before the House by William Jarvis, Esquire, Secretary of the Province, acting in this respect on behalf of the Clerk of the Crown in Chancery, and by which it appeared that the said Mr. Fairfield was duly elected and returned to represent the aforesaid County in Parliament. And having taken the Oath and subscribed the Roll containing the same he took his seat accordingly.

The minutes of the proceedings of the House on Monday and Wednesday last were read.

A Message from His Honor the President commanding the attendance of the House in the Legislative Council Chamber was received by the Gentleman Usher of the Black Rod.

And the House having attended there accordingly His Honor was pleased to make the following speech to both Houses of Parliament.

Honorable Gentlemen of the Legislative Council and Gentlemen of the House of Assembly:—

I have the honor of meeting you again in Parliament to co-operate with you in whatever may tend to promote the true interests or establish the prosperity of this Province.

Nothing, however, occurs to me at present which appears to press for immediate consideration, except the renewal of such necessary laws as may be near expiring, and that in the course of your deliberations it may possibly strike you, as it has me, that the increasing population of the Towns (particularly of this Capital) begins to call for a Police adapted to their varying wants and the more orderly government of their respective inhabitants.

I have it in command to inform you, Gentlemen, that your very loyal and dutiful joint Address to His Majesty towards the close of your last session was received by the King in the most gracious manner, and that His Majesty was pleased to express his peculiar satisfaction at the attention paid by the Legislature to the future happiness of his faithful subjects in Upper Canada, by the means they are taking to lay the foundation of sound learning and religious education for the benefit of the rising generation. I have likewise received from the Secretary of State an Order of Council confirming the reserved Act, passed in the first Session of the present Parliament, for extending the provisions of the Marriage Act that was passed in the second Session of the last Parliament.

The articles of a Provisional agreement made and entered into at Montreal on the eleventh day of last February by the Commissioners from this Province and from that of Lower Canada, will be submitted to your consideration, together with the Inspector's Reports of articles (on which duties on importation have been imposed by the Legislature of Lower Canada) which passed the Coteau-Du-Lac upwards, between the first day of January and the thirty-first of December last.

Gentlemen of the House of Assembly:—

I have directed the accounts of the Provincial Revenues received and paid by the Provincial Treasurer since the recess to be laid before you for your information.

Honorable Gentlemen, and Gentlemen,

I am happy to inform you that the intelligence communicated to me in the beginning of the Winter respecting a combined attack of this Province said to be in preparation from the side of the Mississippi turns out to have had little or no foundation. It has, however, had the very pleasing effect of evincing our internal strength to repel any hostile attempt from that quarter. For I cannot sufficiently applaud the very animated exertions of the Lieutenants of Counties, and the loyal spirit and zeal exhibited by the Militia of the several Districts on this occasion; whereby two thousand Volunteers from the respective corps thereof were immediately put into a state of readiness to march with their army at a moment to wherever they might be ordered, and I am persuaded that the rest would have soon followed with equal alacrity if their services had been wanted.

(Signed) Peter Russell,
York, June 12th. 1799. President &c. &c.

The House being returned and the Speaker having taken the Chair

Mr. Solicitor General moved, that the House do now resolve itself into Committee to go into the consideration of His Honor's Speech, and being seconded by Mr. Hardison the House resolved itself into Committee accordingly.

Mr. Fraser in the Chair.

The Committee went through the consideration of the said Speech.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone through the consideration of the said Speech, and had directed him to report the draught of an Address in answer thereto.

Which Report was accepted, and the said draught being read was agreed to.

Mr. Rogers being seconded by Mr. Jones moved that the said Address as draughted and now read be engrossed and that a Committee be appointed to wait upon His Honor the President to know when he will be pleased to receive the House with the same.

Ordered thereupon, That the said Address be engrossed, and that Mr. Jessup and Mr. Fairfield be a Committee to wait upon His Honor accordingly.

On the motion of Mr. Rogers seconded by Mr. Fairfield

Ordered, That the names of the Members of this House be called over on Monday next.

On the motion of Mr. Solicitor General seconded by Mr. Jessup that the House do now adjourn

The House adjourned accordingly.

Thursday 13th. June 1799.

The minutes of the Proceedings of the preceding day were read.

Mr. Jessup from the Committee appointed to wait upon His Honor to know when he will be pleased to receive the House with their Address in answer to His Honor's Speech reported that the Committee had waited upon His Honor accordingly, and that His Honor was pleased to inform them that he will receive the House with their said Address this day by the hour of twelve o'clock.

Mr. Rogers by leave of the House received at the Bar of the House and brought up the petition of Robert Hamilton, George Forsyth and Thomas Clark, and laid the same on the Table.

Mr. Solicitor General informed the House that he had received from His Honor the President, and was directed to lay before the House, the articles of provisional agreement entered into by and between the Commission on behalf of this Province, and the Commission on behalf of the Province of Lower Canada at Montreal on the 11th day of February last, and also the Inspector's return of dutiable articles which have passed Coteau-du-lac upwards between the first day of January and the 30th. of June 1798. His account of articles on which duties on importation are imposed by the Legislature of the Province of Lower Canada which have passed Coteau-du-lac upwards between the first of July and the 31st. December 1798 and likewise his account of like articles which have passed that place downwards between the same periods.

Ordered, That the same do lie upon the Table.

Mr. Speaker informed the House that he had received from the Hon. J. A. Panet, Speaker of the Commons House of Assembly, Lower Canada, a copy of the Acts of the Parliament of that Province, together with one of the Ordinances of the former Legislatures, still in force in that Province, and of the Journals of the House of Assembly of their first Parliament, and of the first session of their second, in consequence he had acknowledged his sense of that Gentleman's polite advances by a letter in the following words, to wit:

York, 12th. October 1798.

Sir:—

I have this day the honor to receive by your directions the Journals of your House from February to May last, and the Provincial Statutes of your second Parliament, some very short time before which I received all the preceding journals and Acts, but without your letter of the 9th. Novr. last, which will account to you for my not answering it. When I transmitted our laws to you those of the Fifth Session of the first Parliament were out of print, I therefore now enclose a few sets.

Our Journals have not yet been printed, nor the Statutes of the last Session of Parliament; when they are they shall be transmitted to you.

The proceedings of the new Commission will be such as I hope will not fail to strengthen the harmony and good faith which by the blessing of God I trust will long continue to link the chain of all His Majesty's Dependencies, particularly of those naturally connected branches of the Empire, the two Canadas.

I have the Honor to be

(Signed) D. W. Smith.

To the Hon. J. A. Panet, Esq.

Speaker of the Hon. the House
of Commons, Lower Canada.

Mr. Speaker then acquainted the House that they were to consider the said Books as appropriated to their use, and he directed the same to be laid on the Table accordingly.

Mr. Speaker also mentioned that the petition of Hugh Macdonell, adjutant General of the Militia of this Province, had been transmitted to him, and he laid the same upon the Table.

Likewise that the provincial Treasurer had transmitted under cover his account current with the Legislature from the 5th. June 1798 to the 10th. June 1799, and a schedule of payments made by him under a vote of this House of the Fifth of July 1798, and pursuant to a Warrant of His Honor the President dated the 10th. of the same month, which he also laid upon the table.

And Mr. Speaker then stated that a balance amounting to £112. 12. 6. remained in his hands of the monies voted to defray the expenses of printing the Acts of Parliament of this Province and the Journals of the first and second sessions of the present Parliament.

The articles of provisional agreement entered into by and between the Commissioners on behalf of the Province of Lower Canada were read.

The Address of the House in answer to His Honor's Speech was read as engrossed in the following words, to wit:

To His Honor Peter Russell, Esq.
President administering the Government
of the Province of Upper Canada, &c. &c.

May it please Your Honor:—

We His Majesty's most loyal and most dutiful subjects the Commons House of Assembly of the Province of Upper Canada in Parliament met, beg leave to return to Your Honor our Thanks for Your Honor's Speech.

We shall be ready to give our aid in the renewal of such expiring laws as may be found necessary and our deliberations shall be turned to the consideration of a Police Bill.

We are most happy to find that our Address of Thanks has been graciously received by His Majesty, and we are extremely thankful that the Royal approbation has been given to the Act extending the provisions of the Marriage Act.

We shall take into our serious consideration the Articles of Provisional Agreement as modified by the late Commissioners, as well as the accounts which Youı Honor has been pleased to order shall be laid before us, and we have only to add that it affords us the highest satisfaction to learn that the inhabitants of this Province have been so unanimously determined to oppose any attempt which might have been contemplated to disturb its flourishing improvements not doubting that similiar energy will be shewn by all classes of the people to prevent the introduction of French principles and preserve uncontaminated the Constitution which the Mother Country has given us.

And the same was agreed to and signed by the Speaker.

The House waited upon His Honor therewith.

The House being returned and Mr. Speaker having resumed the Chair.

A Message was received from the Legislative Council with a Bill to revive and continue an Act passed in the first Session of this present Parliament entitled An Act for the better securing of the Province against the King's enemies, as sent down for the concurrence of this House.

Which Bill was read the first time.

On motion of Mr. Rogers seconded by Col. Macdonell the said Bill was read a second time.

The Provincial Treasurer's General Account Current with the Legislature was read.

Mr. Solicitor General moved, That as the death of the late Mr. Robinson and the absence of Mr. Street had left him singly of the Committee for revising the Journals of this House preparatory to their publication the House would name two others of the members now attending their duty in Parliament to supply the places of the said two gentlemen in the Committee of Revision, and Mr. Fraser seconded the motion.

Ordered thereupon, That two other gentlemen be added to the said Committee.

On motion of Mr. Rogers seconded by Mr. Solicitor General

Ordered, That Mr. Jones and Mr. Hardison be the two gentlemen added to the said Committee.

On the motion of Mr. Jones seconded by Mr. Fraser the House adjourned.

Friday 14th. June 1799.

Prayers were read.

The Minutes of Yesterday were read.

On the motion of Mr. Rogers seconded by Mr. Fairfield, that the House do now resolve itself into Committee to go into the consideration of the Bill to revive and continue an Act passed in the first Session of this present Parliament, entitled An Act for the better securing of the Province against the King's enemies.

The House resolved itself into Committee accordingly.

Mr. Jones in the Chair.

The Committee went through the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone through the said Bill and had concurred therein without any amendment.

Which Report was accepted.

And the said Bill being read a third time and concurred in

Ordered, That the same do pass, and it was accordingly signed by Mr. Speaker.

On the motion of Mr. Jones seconded by Mr. Rogers

Ordered, That Col. Macdonell and Capt. Fraser be a Committee to carry up the said Bill to the Legislative Council and to inform them that this House has concurred in passing the same without any amendments.

Which Committee being returned reported that they had carried up the said Bill and delivered the said message.

Mr. Solicitor General, seconded by Mr. Rogers, moved for leave to bring in a Bill, intituled an Act to ratify, approve and confirm the Provisional Agreement entered into by Commissioners on the part of this province with Commissioners on behalf of the Province of Lower Canada.

And leave was given accordingly.

Mr. Rogers seconded by Colonel Macdonell moved that the House do now adjourn, and the House adjourned accordingly.

Saturday 15th. June 1799.

Prayers were read.

The Minutes of Yesterday were read.

Mr. Speaker laid before the House a letter which he had received from His Honor the President on the subject of a sum of money voted by the House at the close of their last session—in the following words:

York 14th. July 1798.

Sir:—

Having observed in the certificate you sent me of the sums *voted by the House of Assembly a sum voted by you to reimburse twelve Members their travelling expenses and during their attendance in Parliament this session the new mode of assessment not taking place this year* I was struck with the singularity of this application of the present Revenue which appeared to me to have been destined by the three branches of the Legislature to another service, and consequently not at the disposal of any single one to be diverted into a different channel without the joint concurrence of the other two. However, being diffident of my own construction of the Statutes I laid your certificate before His Majesty's Executive Council on the 9th Inst., and it was the unanimous opinion of every member present that I was not authorized to warrant the payment of any part of the present Revenues to reimburse the Members of the House of Assembly of their expenses during the last Session of Parliament, because the Law had already made an ample provision for the payment of their wages, and no other mode could be adopted except by the passing of a new Act to constitute another mode for that purpose. I must therefore beg leave to decline issuing my Warrant for the payment of the sum voted for this service until the parliament meets next year, when the right of the House of Assembly to order this application of the Revenues may be investigated.

I have the Honor to be
Sir,
Your Most Obedient Humble Servant,
(Signed) Peter Russell, Pres. &c.

And the same was read.

Mr. Solicitor General from the Committee appointed to revise the Journals of the first Session of the present Parliament reported that he was directed by the Committee to inform the House that it appeared to them proper to take the sense of the House upon the propriety of inserting at length upon the Journal a letter from the Hon. Richard Cartwright, one of the Commissioners appointed on behalf of this Province to treat with Commissioners on behalf of the Province of Lower Canada upon the subject of the Provisional Agreement entered into by and between such Commissioners, such letter being noticed in the Journal only as being read. And the Committee entertaining some doubts as to the extent of their powers in ordering the insertion thereof upon the Journals without the previous approbation of the House. He also reported a progress and requested leave to sit again.

Resolved unanimously thereupon, That the Committee are perfectly competent to decide upon the propriety of inserting the said letter, and upon other questions of a similar nature arising in the course of their revision.

A Message was received from the Legislative Council bringing down a Bill for the better ascertaining the appropriations of land to be allotted to the use of the Protestant Clergy as passed by the Legislative Council and sent down for the concurrence of this House.

Which Bill was read the first time.

On the motion of Mr. Solicitor General seconded by Mr. Beasley

Ordered, That the said Bill be read a second time on Monday.

Mr. Rogers seconded by Mr. Hardison moved for leave to bring in a Bill for the putting of apprentices, or binding to trades, Orphans and the children of parents departing this Province, and leave was given accordingly.

Mr. Jones moved for leave to bring in a Bill to repeal an Act passed in the second Session of the first Parliament of Upper Canada, intituled an Act to encourage the destroying of Wolves and Bears, seconded by Capt. Fraser.

Leave was given accordingly.

The Order of the Day being read

The Petition of Robert Hamilton, George Forsyth, and Thomas Clark, praying for the authority of Parliament to enable them to make some necessary and extensive improvements on His Majesty's Highway leading from Queenstown to Fort Erie, and to construct a canal with locks to facilitate the passage of boats at the rapids of this latter place, and for authorizing them to collect a toll on the merchandise, peltries and stores benefitted in passing through these works as an indemnification for the expenses of the original construction, and a fund for keeping the same constantly in repair, was read.

The petition of Hugh Macdonell, Adjutant General of the Militia, praying for the payment of two years salaries due to him, was read.

On the motion of Mr. Jones seconded by Captain Fraser the House adjourned for one hour.

After which the House met and

Mr. Speaker took the chair.

A Message was received from His Honor the President by the Gentleman Usher of the Black Rod, commanding the attendance of this House in the Legislative Council Chamber.

And the House having attended accordingly

His Honor was pleased in His Majesty's name to assent to the Bill intituled "an Act to revive and continue an Act passed in the first Session of this present Parliament, entitled An Act for the better securing of the Province against the King's Enemies."

The House being returned and Mr. Speaker having taken the Chair Mr. Rogers seconded by Mr. Hardison moved that this House do now adjourn, and the House adjourned accordingly.

Monday 17th. June 1799.

The House being met and Mr. Speaker having taken the Chair, Prayers were read.

The Minutes of Saturday were read.

Mr. Rogers seconded by Mr. Jessup moved for leave to bring in to-morrow a Bill to alter the method appointed by law for the payment of wages to the Members of the House of Assembly, and leave was given accordingly.

The Order of the Day was read.

The names of the Knights, Citizens, and Burgesses returned into this House as Members thereof, as duly qualified to take their seats therein were called over, whereof the five following were found to be absent.

Timothy Thompson, Esquire.
Samuel Street "
Thomas Smith "
Thomas McKee "
Richard Wilkinson "

Mr. Speaker acquainted the House that he had received a letter from Capt. McKee, apologizing for not attending his service in Parliament because of the constant application to his duty which his appointment of Superintendent of Indian affairs required, and more especially as the death of his Father had greatly increased and multiplied the objects of his attention.

Which letter was read.

The Bill for the better ascertaining the appropriations of land to be allotted to the use of a Protestant Clergy was read the second time.

On the motion of Mr. Solicitor General seconded by Captain Fraser, that this House do now resolve itself into a Committee to take the said Bill into consideration

The House resolved itself into Committee accordingly.

Mr. Jones in the Chair.

The Committee went through the said Bill.

The Chairman reported that the Committee had gone through the said Bill and had concurred therein without any amendment, which Report was accepted.

A Bill to provide for the putting apprentices, or binding to trades, Orphans and the children of parents departing the province was read the first time.

On the motion of Mr. Rogers seconded by Mr. Beasley

Ordered, That the said Bill be read a second time to-morrow.

The Bill to repeal an Act passed in the second Session of the first provincial Parliament of Upper Canada, entitled an Act to encourage the destroying of Wolves and Bears in different parts of this province was read the first time.

Mr. Jones seconded by Captain Fraser moved that the said Bill be read a second time to-morrow, and the question having been thereupon put the House divided, and the same was carried in the negative.

The Bill to ratify, approve, and confirm the Provisional Agreement made and entered into by the Commissioners on the part of this Province and Commissioners on the part of the Province of Lower Canada was read the first time.

On the motion of Mr. Solicitor General seconded by Mr. Hardison

Ordered, That the said Bill be read a second time to-morrow.

A Message was received from the Legislative Council requesting the concurrence of this House in passing a Bill brought down for that purpose intituled an Act for securing the Titles to lands in this province.

Which Bill was read the first time.

On the motion of Mr. Rogers seconded by Mr. Beasley,

Ordered, That the same be read a second time on Wednesday.

On the motion of Mr. Jones seconded by Mr. Hardison the House adjourned.

Tuesday 18th. June 1799.

The House being met and Mr. Speaker having taken the Chair, Prayers were read, and the Minutes of yesterday were read.

The Bill for the better ascertaining the appropriations of lands to be allotted to the use of a Protestant Clergy was read a third time, and the House having concurred therein

Ordered, That the same do pass, and the same was accordingly signed by Mr. Speaker.

Ordered, That Mr. Jones and Mr. Fairfield be a Committee to carry up the said Bill to the Legislative Council, and do inform that this House has concurred therein without any amendment.

Which Committee being returned reported that they had carried up the said Bill, and delivered the said message.

Mr. Rogers moved for leave to bring in (upon the Petition of Robert Hamilton, George Forsyth and Thomas Clark, read on Saturday last) a Bill agreeably to the prayer of the said petition to-morrow, entitled An Act to improve and amend the communication between the lakes of Erie and Ontario by land and by water,—seconded by Mr. Hardison, and leave was given accordingly.

Mr. Solicitor General seconded by Mr. Jones moved for leave to bring in a Bill upon the petition of John Dixon, read during the first Session of the present Parliament, to authorize the proprietor at the locks at the Moulinette to demand and receive toll, and leave was given.

A Bill to alter the method appointed by law for the payment of wages to the Members of the House of Assembly was read the first time.

On the motion of Mr. Rogers seconded by Mr. Jones,

Ordered, That the said Bill be read a second time to-morrow.

The Bill to ratify, approve, and confirm the Provisional Agreement made and entered into by the Commissioners on the part of this province, and Commissioners on the part of the province of Lower Canada was read the second time.

On the motion of Mr. Solicitor General seconded by Mr. Rogers that the House do now resolve itself into a Committee to take the said Bill into consideration

The House resolved itself into a Committee accordingly.

Captain Fraser in the Chair.

The Committee went through the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone through the said Bill and had agreed to the same, which Report was accepted.

On the motion of Mr. Rogers seconded by Mr. Beasley

Ordered, That the said Bill be engrossed and read a third time on Thursday.

The Bill to provide for putting apprentices, or binding to trades, Orphans and the children of parents departing the province was read a second time.

On the motion of Mr. Rogers seconded by Mr. Cornwall, that the House do now resolve itself into a Committee to take the said Bill into consideration the House resolved itself into Committee accordingly.

Mr. Hardison in the Chair.

The Committee went through the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone through the said Bill, and had agreed thereto with amendments, which Report was accepted.

On the motion of Mr. Rogers seconded by Mr. Hardison

Ordered, That the said Bill be engrossed, as amended, and read a third time to-morrow.

Mr. Solicitor General, by permission of the House, received at the Bar and brought up the Petition of Thomas Ward.

On the motion of Mr. Fairfield, seconded by Mr. Cornwall, the House adjourned.

Wednesday 19th. June 1799.

The House being met and the Speaker having taken the Chair, Prayers were read.

The Minutes of yesterday were read.

Captain Fraser brought up and laid upon the Table the petition of several of the inhabitants of the County of York.

The House proceeded to the Order of the Day.

The Bill to provide for putting apprentices, or binding to trades, Orphans and children of parents departing the Province, under the title as amended in Committee of, an Act to provide for the education and support of Orphan children was read a third time as engrossed.

Ordered, That the said Bill do pass, and the same was accordingly signed by Mr. Speaker.

Ordered, That Mr. Thompson and Mr. Cornwall be a Committee to carry up the said Bill to the Legislative Council, and to request their concurrence therein.

Which Committee being returned reported that they had carried up the said Bill and delivered the said Message.

An Act to amend and improve the communication between the Lakes of Ontario and Erie by Land and Water was read the first time.

On the motion of Mr. Rogers, seconded by Mr. Beasley

Ordered, That the said Bill be read a second time to-morrow.

The Bill to authorize the proprietor of the locks at the Moulinette to demand and receive Toll was read the first time.

Mr. Solicitor General moved that the said Bill be read a second time to-morrow,—seconded by Mr. Jones.

Mr. Rogers moved that the motion of Mr. Solicitor General be amended, and that instead of the word "to-morrow" be inserted the words "in three months." Seconded by Mr. Fairfield.

Whereupon the question upon the original motion of Mr. Solicitor General was put, and the House dividing thereupon it was carried in the negative.

And then the question having been put upon the amendment thereof, as moved by Mr. Rogers, the same was carried in the affirmative.

Ordered, accordingly, That the said Bill be read again in three months.

The Bill entitled an Act to continue an Act entitled an Act for securing the Title to lands in this province was read the second time.

The Bill to alter the method appointed by law for the payment of wages to the Members of the House of Assembly was read a second time.

On the motion of Mr. Rogers seconded by Mr. Beasley, that the House do now resolve itself into a Committee to take the said Bill into consideration

The House resolved itself into Committee accordingly.

Mr. Thompson in the Chair.

The Committee went through the said Bill.

Mr. Speaker resumed the Chair.

The Chairman brought up the report of the Committee in writing as follows, to wit

The Committee having gone through the Bill to alter the method appointed by an Act passed in the 33rd. year of His Majesty's Reign for the payment of wages to the Members of the House of Assembly, and report the same with amendments, suggesting it at the same time to the House that it may be expedient to resolve and order that a deputation of three Members do wait upon His Honor the President, with the Humble Request of this House that he will be pleased to direct the Secretary of the Province to pay into the hands of the provincial Treasurer without delay the sum of £672. 0. 0. together with the duties received by him upon the 63 Still Licenses, as reported to be due by the Treasurer on the fifth day of April last; as well as the duties he is required by law to pay into the Treasury as soon as may be after the receipt thereof,—commencing on the same fifth of April last. Which Report was accepted.

On the motion of Mr. Rogers seconded by Mr. Hardison, that the House do now resolve itself into Committee to take the said Bill into consideration

The House resolved itself into Committee accordingly.

Mr. Fairfield in the Chair.

The Committee went through the said Bill.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone through the said Bill and had concurred therein without any amendments, which Report was accepted.

On the motion of Mr. Rogers, seconded by Mr. Fairfield,

Ordered, That the said Bill be engrossed and read a third time to-morrow.

On the motion of Mr. Rogers, seconded by Mr. Jones,

Ordered, That Mr. Solicitor General, Captain Fraser, and Mr. Thompson be a Committee to wait upon His Honor the President, to communicate to him the request of the House conformably to the Report of the Committee of the whole House as aforesaid. And that then said Bill be engrossed as amended, and read a third time to-morrow.

On the motion of Mr. Rogers, Seconded by Mr. Jones, that the House do now adjourn, the House adjourned accordingly.

Thursday 20th. June 1799.

The House being met, and Mr. Speaker having taken the Chair, Prayers were read.

The Minutes of yesterday were read.

Mr. Solicitor General from the Committee appointed to wait upon His Honor the President to request on behalf of this House that he may be pleased to command the Secretary of the Province to account forthwith for, and pay into the hands of the Provincial Treasurer, the monies which he is in arrears for the Public Revenues collected by him, reported that the Committee had waited upon His Honor and delivered to him the said message as directed, and that His Honor was pleased to inform them that the request of the House should be complied with.

Mr. Fairfield, seconded by Mr. Beasley, moved for leave to bring in a Bill to amend an Act intituled an Act to ascertain and establish on a permanent footing the lines of the different townships in this Province. Leave was given accordingly.

Mr. Solicitor General, seconded by Mr. Hardison, moved for leave to bring in a Bill intituled "An Act to enable John Dixon to receive toll for his locks at Moulinette.

Whereupon the question being put, that he may have leave, the House divided, and the same was carried in the negative.

Mr. Solicitor General, seconded by Mr. Hardison, moved for leave to bring in a Bill, intituled "An Act to enable a Member of the House of Assembly to vacate his seat." Leave was given accordingly.

The House proceeded to the Order of the Day.

The Bill to alter the method appointed by Law for the payment of wages to the Members of the House of Assembly, intituled, as amended by the Committee, "An Act to alter the method appointed for the payment of wages to the Members of the House of Assembly by an Act passed in the 33rd. year of His present Majesty's Reign, intituled an Act to authorize and direct the laying and collecting of assessments and rates in every District within this Province, and to provide for payment of wages to the Members of the House of Assembly" was read the third time as engrossed.

Ordered, That the said Bill do pass, and Mr. Speaker accordingly signed the same.

Mr. Rogers, seconded by Mr. Beasley, moved that Mr. Solicitor General and Captain Fraser be a Committee to carry up the said Bill to the Legislative Council, and to request their concurrence in passing the same.

Ordered accordingly.

Upon which Mr. Solicitor General, seconded by Captain Fraser, moved that it be henceforward a standing rule of this House that no Member shall be compelled to serve on a Committee for carrying up to the Legislative Council any Bill for their concurrence, or for returning any Bill to them concurred in by this House, who shall be opposed to the principles of such Bill, and shall have signified his dissent or disapprobation at any stage of the progress thereof through the House, previous to its signature by the speaker.

And the question thereof being put to the House divided equally,—yeas five,—nays five.

Mr. Speaker was then called upon to determine. He decided for the motion in the affirmative, and the object of the said motion became a standing rule of the House accordingly.

The Bill to continue an Act intituled an Act for securing the Title to lands in this Province was read a third time, and the House being concurred therein,

Ordered, That the same do pass, and Mr. Speaker signed the same accordingly.

Mr. Rogers moved that Mr. Jones and Mr. Hardison be a Committee to carry up the said Bill to the Legislative Council, and to inform them that the House concurred in passing the same without any amendments.

The Bill to ratify, approve and confirm the Provisional Agreement made and entered into by Commissioners on the part of this Province and Commissioners on the part of Lower Canada was read the third time as engrossed.

Ordered, That the said Bill do pass, and the same was accordingly signed by Mr. Speaker.

On the motion of Mr. Jones, seconded by Mr. Hardison,

Ordered, That Mr. Rogers and Mr. Jessup be a Committee to carry up the said Bill to the Legislative Council, and to request their concurrence therein.

The petition of Thomas Ward, praying to be relieved from the hardships which a strict construction of the sixth clause of the Act for the better regulating the practice of Law subjects him to was read.

On the motion of Mr. Rogers, seconded by Mr. Hardison,

Ordered, That the Solicitor General and Mr. Thompson be a Committee to take the said Petition into their consideration, and to report thereon.

The Bill to improve and amend the communication between the Lakes of Ontario and Erie, by Land and by Water, was read the second time.

On the motion of Col. Macdonell, seconded by Capt. Fraser, that this House do now adjourn

The House adjourned accordingly.

Friday 21st. June 1799.

The House being met, and Mr. Speaker having taken the Chair, Prayers were read.

The Minutes of yesterday were read.

Mr. Rogers, from the Committee appointed to carry up to the Legislative Council the Bill to ratify, approve and confirm the Provisional Agreement made and entered into by Commissioners on the part of this Province and Commissioners on the part of the Province of Lower Canada, and to request their concurrence in passing the same, reported that the Committee had carried up the said Bill and delivered the said message.

Mr. Solicitor General, from the Committee appointed to carry up to the Legislative Council the Bill intituled "An Act to alter the method appointed for the payment of wages to the Members of the House of Assembly by an Act passed in the thirty-third year of His present Majesty's Reign, intituled an Act to authorize the laying and collecting of assessments and rates in every district within this Province, and to provide for the payment of wages to the Members of the House of Assembly," and to request their concurrence therein, reported that the Committee had carried up the said Bill and delivered the said Message.

Mr. Jones, from the Committee appointed to return to the Legislative Council the Bill to continue an Act intituled an Act for securing the Titles to lands in this province, and to inform them that this House has concurred therein without any amendments, reported that they had returned the said Bill and delivered the said message accordingly.

Mr. Speaker acquainted the House that he had received a letter from the Hon. Robert Hamilton, requesting to be heard in support of the Bill to improve and amend the communication between the Lakes of Ontario and Erie by Land and by Water when the same should be considered of by the House in Committee.

Which Letter was read.

On the motion of Mr. Rogers, seconded by Mr. Beasley,

Resolved, That the Hon. Robert Hamilton have leave to attend and be heard for the information of the Committee accordingly.

The Bill to enable a member of the House of Assembly to vacate his seat was read the first time.

On the motion of Mr. Solicitor General, seconded by Capt. Fraser,

Ordered, That the said Bill be read a second time to-morrow.

The Petition of several of the inhabitants of the County of York, signed by John Wilson, Parshal Terry, George Playter and Thomas Barry, Esquires, and by thirty others, and praying for the authority of Parliament to prevent the destruction of salmon at the time of spawning was read.

Mr. Beasley, Seconded by Mr. Thompson, moved for leave to bring in on Monday a Bill for the better preservation of Salmon.

Leave was given.

Mr. Rogers, seconded by Mr. Beasley, moved that the House do now resolve itself into a Committee to take into consideration the Bill to improve and amend the communication between the lakes of Ontario and Erie by Land and Water, and the House resolved itself into Committee accordingly.

Mr. Solicitor General in the Chair.

The Committee went into the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill, and had directed him to report a progress, and to request leave to sit again to-morrow, which Report was accepted and leave was given accordingly.

On the motion of Mr. Beasley, seconded by Mr. Hardison, that the House do now adjourn, the House adjourned accordingly.

Saturday 22nd. June 1799.

The House being met, and Mr. Speaker having taken the Chair, Prayers were read.

The Minutes of Yesterday were read.

Mr. Beasley, seconded by Mr. Hardison, moved for leave to bring in on Monday next a Bill entitled "An Act to explain an Act for the further regulation of the Militia of this province, and leave was given to him accordingly.

The House proceeded to the Order of the day.

The Bill to enable a Member of the House of Assembly to vacate his seat was read a second time.

On the motion of Mr. Rogers, seconded by Mr. Fairfield, that the House do now resolve itself into Committee to take the said Bill into their consideration the House resolved itself into Committee accordingly.

Mr. Cornwall in the Chair.

The Committee went through the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone through the same, and had agreed thereto with amendments, which Report was accepted.

On the motion of Mr. Rogers, seconded by Mr. Jessup,

Ordered, That the said Bill be engrossed and read a third time on Monday next.

On the motion of Mr Jones, seconded by Mr. Beasley, that Colonel Macdonell have leave of absence from the House during the remainder of the present Session leave was given accordingly.

Mr. Solicitor General, from the Committee appointed to take into consideration and to report upon the Petition of Thomas Ward, brought up the Report of the said Committee in writing as follows, to wit:

Report of Mr. Solicitor General and J. Thompson, Esquire, the Committee appointed to take into their consideration the Petition of Mr. Thomas Ward.

The Committee humbly beg leave to submit to the Honorable House of Assembly their report with respect to the Petition of Thomas Ward.

In doing this they hope this House will do them the justice to consider how much delicacy the subject submitted to their consideration required.

The first thing that occurred to the Committee, was the importance which the result of their deliberations must be of, to the person in question, on whatever side their decision leans.

And under this impression they were happy in taking advantage of the power which this House vested in them to call upon such persons and for such vouchers as they thought might tend to make their Report more acceptable to this House, and as satisfactory to the Petitioner as is consistent with the motives that have induced them to report as they have done.

The Committee, impressed with a grateful sense of the manner in which the House has referred this matter, cannot but observe that in the course of their deliberations it appeared to them that it was an object of importance, not only to the Society which has been instituted by the Legislature of this Province, and which Society is by law amply vested with powers for its own internal regulation, but also to the province in general.

It appears to the Society to be of importance because should this House make a law to admit any person of the said Society without its own concurrence, would defeat the beneficent intentions of the Legislature and take from the Society what is now estimated by it as one of its first and most important privileges.

It is of consequence to the Country that the mode of admission to the Law Society should not be in the manner prayed for in this instance. There is no certificate of capacity produced, nor any mode of examination that this House can fall upon at present to authorize the admittance of any person to the practice of the Law, and it might again defeat the intention of the Legislature in securing to the Province a learned and honorable body to assist their fellow subjects when occasion might require, and to support their Constitution.

The Committee wish it to be understood that from any personal knowledge they have of the petitioner they humbly submit to this House that they by no means wish to insinuate in the smallest degree that the Petitioner is an improper object to admit to the practice of an Attorney, but with the greatest deference to the wisdom of this House observe that they do not consider it may operate very much to the disadvantage of the Petitioner should this House think proper to refer him to the Law Society and to the Act which established it.

The Committee hope that this House will consider their situation and accept this Report, made from no other motive than to do ample justice to the petitioner and to discharge their duty as members of the Law Society as well as Guardians of the Public in their Legislative capacity.

Robt. I. D. Gray
Tim'y Thompson.

Ordered, That the said Report be accepted.

On the motion of Mr. Solicitor General, seconded by Colonel Macdonell, that this House do now resolve itself into Committee to consider further of the Bill to improve and amend the communication between the Lakes of Ontario and Erie by Land and by Water, the House resolved itself into Committee accordingly.

Mr. Solicitor General in the Chair.

The Committee resumed the consideration of the said Bill.

On notice that Black Rod was at the Door of the House and prayed admittance

Mr. Speaker resumed the Chair.

The Chairman reported a further progress and requested leave to sit again this day, which Report was accepted and leave was given accordingly.

A Message was received from the Legislative Council informing that the Honorable the Legislative Council do request that the House of Assembly will appoint a Committee to meet a Committee of this House for the purpose of drawing up an address to His Honor the President, requesting that in order to give effect to a Bill passed by the two Houses and entitled "An Act for the better ascertaining the appropriations of land to be allotted to the use of a Protestant Clergy" such Act should be transmitted to England without delay for the purpose of being laid before Parliament previous to the signification of His Majesty's assent thereto.

On the motion of Mr. Solicitor General, seconded by Mr. Thompson,

Resolved, That a Committee of three Members be appointed to meet such Committee as shall be appointed by the Legislative Council after the two Houses of Parliament shall have adjourned this day for the purpose of draughting an Address to His Honor the President, praying that the Bill for the better ascertaining the appropriations of land to be allotted for the use of a Protestant Clergy may be transmitted without delay to England in order to be laid before the Parliament of Great Britain previous to the signification of His Majesty's pleasure therein.

On the motion of Mr. Solicitor General, seconded by Mr. Cornwall,

Ordered, That Mr. Jones, Mr. Rogers and Mr. Thompson be a Committee of conference accordingly.

On the motion of Mr. Rogers, seconded by Mr. Jones,

Ordered, That Mr. Solicitor General and Mr. Beasley be a Committee to inform the Legislative Council that this House has appointed a Committee in conformity to their message of this day to draught an Address to His Honor the President, in conference with a Committee of the Legislative Council, praying that His Honor do transmit to England without delay the Bill for the better ascertaining the appropriations of land to be allotted to the use of a Protestant Clergy, in order that the same may be laid before the Parliament of Great Britain previous to the signification of His Majesty's pleasure therein.

Which Committee being returned reported that they had carried up to the Legislative Council the said Message accordingly.

A Message was received from the Legislative Council, informing that they had concurred in passing without any amendment "A Bill to ratify, approve, and confirm the Provisional Agreement made and entered into by the Commissioners on the part of this Province and Commissioners on the part of the Province of Lower Canada, and returning the same as a Revenue into this House.

And also informing that the Legislative Council had concurred in passing a Bill to provide for the education and support of Orphan Children, with an amendment in which they requested the concurrence of this House.

Which amendment having been read,

On motion of Mr. Rogers, seconded by Mr. Hardison, that the House do now resolve itself into a Committee to go into the consideration of the said amendment

The House resolved itself into Committee accordingly.

Mr. Jones in the Chair.

The Committee went through the consideration of the said amendment.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had taken into consideration the said amendment, and had agreed thereto, which Report was accepted.

Ordered, That the said amendment be concurred in, and that the said Bill do pass as amended.

And then the House resolved itself into a Committee to resume the consideration of the Bill to improve and amend the communication between the Lakes of Ontario and Erie by land and water.

Mr. Solicitor General in the Chair.

The Committee went through the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone through the said Bill, and had agreed thereto with amendments, which report was accepted.

Ordered, That the said Bill be engrossed, and read a third time on Monday next.

On the motion of Mr. Solicitor General, seconded by Mr. Rogers

Resolved, That a Committee of three members be appointed to take into consideration and report upon the fees which shall be taken by the Clerk of this House in all private bills.

On the motion of Mr. Rogers, seconded by Mr. Beasley,

Ordered, That Mr. Cornwall and Mr. Solicitor General and Mr. Jessup be a Committee to consider of the said fees and to report thereon.

On the motion of Mr. Beasley, seconded by Mr. Jessup, that the House do now adjourn, the House adjourned accordingly.

Monday 24th. June 1799.

The House being met and Mr. Speaker having taken the Chair the minutes of Saturday were read.

On the motion of Mr. Cornwall, seconded by Mr. Jones,

Ordered, That the order for the third reading of the Bill entitled "An Act to amend and improve the communication between the Lakes of Ontario and Erie by land and by water" be discharged, and that the said Bill be read a third time in three months.

And then the House proceeded to the Order of the Day.

The Bill to enable a Member of the House of Assembly to vacate his seat was read a third time as engrossed.

Ordered, That the said Bill do pass, and the same was accordingly signed by Mr. Speaker.

Mr. Speaker signed the Bill to provide for the education and support of Orphan Children, concurred in as amended, and engrossed accordingly.

On the motion of Mr. Beasley, seconded by Mr. Cornwall,

Ordered, That Mr. Thompson and Mr. Hardison be a Committee to carry up to the Legislative Council the Bill to enable a Member of the House of Assembly to vacate his seat, and to request their concurrence therein, and likewise to carry back at the same time to the Legislative Council, the Bill to provide for the education and support of Orphan Children, and to inform them that this House has concurred in their amendment therein.

Which Committee being returned reported that they had carried up the said Bills to the Legislative Council, and delivered the said messages accordingly.

Mr. Jones, from the Committee appointed to draught and Address to His Honor the President in conference with a Committee of the Legislative Council, praying that he may be pleased to transmit to England without delay the Bill for the better ascertaining the appropriations of land allotted to the use of a Protestant Clergy, reported that they had draughted an Address accordingly.

A Message was received from the Legislative Council bringing down for the concurrence of this House the said Address as engrossed and signed by the Legislative Council, and having been read the said Address was agreed to and signed by Mr. Speaker,

On the motion of Mr. Fairfield, seconded by Mr. Beasley,

Ordered, That Mr. Jones and Captain Fraser be a Committee to return the said Address to the Legislative Council, and to inform them that this House has agreed thereto.

Which Committee being returned reported that they had returned the said Address and delivered the said message accordingly.

The Bill to explain an Act intituled "An Act for the further regulation of the Militia of this Province" was read the first time.

On the motion of Mr. Beasley, seconded by Mr. Hardison,

Ordered, That the said Bill be read a second time to-morrow.

The Bill to amend an Act intituled "An Act to ascertain and establish on a permanent footing the boundary lines of the different Townships of this Province" was read the first time.

On the motion of Mr. Fairfield, seconded by Mr. Rogers,

Ordered, That the said Bill be read a second time to-morrow.

The Bill for the better preservation of Salmon was read the first time.

On the motion of Mr. Beasley, seconded by Mr. Hardison,

Ordered, That the said Bill be read a second time to-morrow.

On the motion of Mr. Rogers, seconded by Mr. Fairfield, that this House do now adjourn, the House adjourned accordingly.

Tuesday 25th. June 1799.

The House being met, and Mr. Speaker having taken the Chair, the Minutes of yesterday were read.

Mr. Thompson, seconded by Mr. Rogers moved for leave to bring up and lay upon the Table the Petition of Darius Dunham and 119 others, members of a

Methodist Society, and leave being given he brought up and laid upon the Table the same accordingly.

On the motion of Captain Fraser, seconded by Mr. Cornwall,

Ordered, That the Bill to improve and amend the communication between the Lakes of Ontario and Erie by land and by water, as amended in Committee and ordered to be read in three months, be in the meantime printed, and that fifty copies thereof be distributed among the Members of this House for the information and opinion of their constituents upon the advantages thereof.

A Message was received from the Legislative Council requesting that this House do appoint a Committee of the Legislative Council, for the purpose of waiting upon His Honor the President with the joint Address of both Houses on the subject of the Bill for the better ascertaining the appropriations of land to be allotted to the use of a Protestant Clergy.

On the motion of Mr. Rogers, seconded by Mr. Hardison,

Ordered, That Mr. Jessup, Captain Fraser, and Mr. Thompson be a Committee to accompany a Committee of the Legislative Council in waiting upon His Honor the President with the said joint Address on the subject of the said Bill, and that Mr. Jessup do inform the Legislative Council of the appointment of such Committee agreeably to their message.

Mr. Jessup being returned reported that he had carried up the said message to the Legislative Council.

The Bill to explain an Act intituled "An Act for the further regulation of the Militia of this Province" was read the second time.

On the motion of Mr. Beasley, seconded by Mr. Hardison, that the House do now resolve itself into Committee to consider of the said Bill—

The House resolved itself into Committee accordingly.

Mr. Beasley in the Chair.

The Committee went into the consideration of the said Bill.

On notice that Black Rod was at the Door of the House and requested admittance,

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill, and had made a progress, and requested leave to sit again this day, which Report was accepted and leave was given accordingly.

A Message was received from the Legislative Council bringing down the Bill to enable a Member of the House of Assembly to vacate his seat, returned into this House concurred in by the Legislative Council with amendments, which amendments were read.

And then the House resolved itself into Committee to take again into consideration the Bill to explain an Act intituled "An Act for the better regulation of the Militia of this Province."

Mr. Beasley in the Chair.

The Committee went through the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone through the said Bill, and had agreed thereto with amendments, which report was accepted.

On the motion of Mr. Beasley, seconded by Mr. Hardison,

Ordered, That the said Bill be engrossed as amended, and read a third time to-morrow.

On the motion of Mr. Rogers seconded by Mr. Solicitor General, Ordered, That the amendments made by the Legislative Council in the Bill to enable a Member of the House of Assembly to vacate his seat be concurred in and that the said Bill do pass as amended, under the title as amended of "An Act to enable persons holding the office of Registrar to be elected Members of the House of Assembly."

The Bill to amend an Act intituled "An Act to ascertain and establish on a permanent footing the boundary lines of the different Townships of this Province" was read the second time.

On the motion of Mr. Fairfield, seconded by Mr. Beasley,— That the House do now resolve itself into Committee to take the said Bill into consideration—

The House resolved itself into Committee accordingly.

Mr. Thompson in the Chair.

The Committee went through the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone through the said Bill, and had agreed thereto with amendments, which Report was accepted.

On the motion of Mr. Fairfield, seconded by Mr. Hardison,

Ordered, That the said Bill be engrossed as amended, and read a third time to-morrow.

The Bill for the better preservation of Salmon was read a second time.

On the motion of Mr. Beasley, seconded by Mr. Hardison,— That the House do now resolve itself into Committee to take the said Bill into consideration—

The House resolved itself into Committee accordingly.

Captain Fraser in the Chair.

The Committee went into consideration of the said Bill.

On notice that Black Rod was at the Door of the House and requested admittance,

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill, and had made a progress therein, and requested leave to sit again this day, which Report was accepted, and leave was given accordingly.

A Message was received from the Legislative Council, bringing down the Bill to alter the method appointed for the payment of wages to the Members of the House of Assembly by an Act passed in the thirty-third year of His present Majesty's Reign, entitled "An Act to authorize and direct the laying and collecting of assessments and rates in every District within the province, and to provide for the payment of wages to the Members of the House of Assembly" returned into this House as concurred in by the Legislative Council with an amendment, which amendment was read.

And then the House resolved itself again into Committee to consider further of the Bill for the better preservation of Salmon.

Captain Fraser in the Chair.

The Committee went through the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone through the said Bill, and had agreed thereto with amendments. Which Report was accepted.

On the motion of Mr. Beasley, seconded by Mr. Hardison,

Ordered, That the said Bill be engrossed as amended, and read a third time to-morrow.

On the motion of Mr. Beasley, seconded by Mr. Hardison,— that this House do now adjourn—the House adjourned accordingly.

Wednesday 26th. June 1799.

The House being met, and Mr. Speaker having taken the Chair, Prayers were read, and the Minutes of Yesterday were read.

Mr. Beasley, seconded by Capt. Fraser moved for leave to bring up the petition of Sylvester Tiffany.

And leave being granted Mr. Beasley brought up and laid upon the Table the same accordingly.

The House then proceeded to the Order of the Day.

The Bill to explain an Act intituled "An Act for the further regulation of the Militia of this Province" was read a third time as engrossed.

On the motion of Mr. Rogers, seconded by Mr. Beasley,

Ordered, That the title of the said Bill be amended, and that the same be intituled "An Act to explain and amend an Act entitled an Act for the further regulation of the Militia of this Province." And the title thereof being amended accordingly.

Ordered, That the said Bill do pass, and the same was signed accordingly by Mr. Speaker.-

The Bill to amend an Act intituled "An Act to ascertain and establish on a permanent footing the boundary lines of the different Townships of this Province" was read the third time as engrossed.

On the motion of Mr. Fairfield, seconded by Mr. Rogers,

Ordered, That the title of the said Bill be "An Act to provide for the erection of landmarks," and the same having been so intituled accordingly.

Ordered, That the said Bill do pass, and Mr. Speaker signed the same accordingly.

The Bill intituled "An Act to enable persons holding the office of Registrar to be elected Members of the House of Assembly," engrossed as amended in the Legislative Council and concurred in by this House, was signed by Mr. Speaker.

On the motion of Mr. Rogers, seconded by Mr. Hardison,

Ordered, That Mr. Thomas Smith and Mr. Fairfield be a Committee to carry up to the Legislative Council the Bill intituled "An Act for the further Regulation of the Militia of this Province," and to request their concurrence therein, and also to carry up at the same time to the Legislative Council the Bill intituled "An Act to provide for the erection of landmarks" and to request their concurrence therein, and likewise to carry back to the Legislative Council at the same time the Bill intituled "An Act to enable persons holding the office of Registrar to be elected Members of the House of Assembly," and to inform them that this House has concurred in their amendments therein.

Which Committee being returned reported that they had carried up the three said Bills to the Legislative Council, and delivered the messages concerning the same respectively.

The Bill for the better preservation of Salmon was read the third time as engrossed.

On the motion of Mr. Rogers, seconded by Mr. Fairfield a clerical error was corrected therein, and a small omission restored. by leave of the House.

Ordered, That the said Bill do pass, and the same was accordingly signed by Mr. Speaker.

On the motion of Mr. Rogers, seconded by Mr. Jones,

Ordered, That Mr. Beasley and Mr. Hardison be a Committee to carry up the said Bill to the Legislative Council, and to inform them this House has passed the same upon the petition of several respectable inhabitants of the County of York (addressed to both Houses of Parliament) which Petition the said Committee shall likewise carry up at the same time to the Legislative, and request their concurrence in the said Bill.

Which Committee being returned reported that they had carried up the said Bill and Petition, and delivered the said message accordingly.

Mr. Jessup, seconded by Mr. Beasley moved that the House do now resolve itself into Committee to go into the examination of the Public accounts, touching the receipt and application of the Provincial Revenues, and the House resolved itself into Committee accordingly.

Mr. Rogers in the Chair.

The Committee went into the examination of the said Accounts.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the examination of the said Accounts, and had made a progress therein and requested leave to sit again, which Report was accepted, and leave was given accordingly.

On the motion of Mr. Beasley, seconded by Mr. Jessup.— that the House do now adjourn—the House adjourned accordingly.

Thursday 27th. June 1799.

The House being met, and Mr. Speaker having taken the Chair. Prayers were read.

The House proceeded to the Order of the Day.

The petition of Darius Dunham and 119 others, Members of a Methodist Society, praying that by a Parliamentary Provision the same toleration be extended to them as to other sects in this province, so as to give validity in law to their marriages was read.

Mr. Thompson, seconded by Mr. Rogers, moved for leave to bring in to-morrow a Bill for the relief of the persons commonly called Methodists, and the question being thereof put the same was carried in the negative.

At the desire of Mr. Rogers that the Yeas and Nays upon the said question be taken, the same were taken as follows:

YEAS.	NAYS.
MR. THOMPSON	MR. SOL'R. GENERAL
MR. ROGERS	MR. JONES
	MR. THOS. SMITH
	MR. FAIRFIELD
	MR. BEASLEY
	MR. JESSUP
	MR. CORNWALL
	MR. HARDISON

And therefore the question was carried in the negative by a majority of eight members.

Mr. Rogers received at the Bar of the House, brought up, and laid upon the Table the Petition of William Waters and Titus G. Simons, Printers.

On the motion of Mr. Rogers, seconded by Mr. Cornwall,— that the House do now adjourn until the Hour of one o'clock in the afternoon of this day—the House adjourned accordingly.

At which Hour the House met and Mr. Speaker took the Chair.

On the motion of Mr. Fairfield, seconded by Mr. Beasley,— that the House do now adjourn until to-morrow morning by the hour of eight o'clock—the House adjourned accordingly.

Friday 28th. June 1799.

The House being met, and Mr. Speaker having taken the Chair, the Minutes of yesterday were read.

On the motion of Mr. Rogers, seconded by Mr. Hardison,

Ordered, That a message received from the Legislative Council on the 22nd. inst. being an infringement of the Privileges of this House, be not inserted on the Journals thereof, and that no answer be returned thereto.

On the motion of Mr. Hardison, seconded by Mr. Fairfield,—that the House do now resolve itself into Committee to go again into the examination of the receipts, expenditure and application of the Provincial Revenue—the House resolved itself into Committee accordingly.

Mr. Rogers in the Chair.

The Committee resumed the consideration of the said subject.

On notice that Black Rod was attending at the Door of the House and requested admittance,

Mr. Speaker took the Chair.

The Chairman reported a further progress, and requested leave to sit again this day, which Report was accepted, and leave was given accordingly.

A Message was received from the Legislative Council bringing down as amended therein the Bill to explain and amend an Act intituled "An Act for the further regulation of the Militia of this Province under the amended title of an Act further to regulate the Militia of this Province,"

Which Bill was read as amended.

And then the House resolved itself again into Committee to go into the examination of the receipts, expenditures and application of the Provincial Revenue.

Mr. Rogers in the Chair.

The Committee resumed the consideration of the said subjects.

Mr. Speaker resumed the Chair.

The Chairman reported a further progress, and requested leave to sit again which Report was accepted and leave was given accordingly.

Mr. Solicitor General, from the Committee appointed to revise the Journals of the first session of the present Parliament preparatory to their being published, reported that they had revised the same accordingly, and then laid the revised Copy upon the Table.

Mr. Solicitor General further reported that it was the opinion of the Committee that copies of all papers of a public nature which had been laid before the House should be inserted in their proper places and published, which Report was accepted.

On the motion of Captain Fraser, seconded by Mr. Rogers,

Resolved unanimously, That the thanks of this House be given to the

Honorable David William Smith, Acting Surveyor General of this Province, who is now about to return to Europe, as a mark of the very sense which this House entertains for the ability, assiduity and unblemished integrity with which he has for seven years past discharged the important duties of that important office.

Mr. Solicitor General, from the Committee appointed to consider of the fees which the Clerk of this House is entitled to take and receive on all Private Bills brought thereunto, reported accordingly.

Which Report being read, on the motion of Mr. Rogers, seconded by Mr. Fairfield,—that the House do now resolve itself into Committee to go into the consideration of the said Report—the House resolved itself into Committee accordingly.

Mr. Solicitor General in the Chair.

The Committee went into the consideration of the said Report.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Report and were of opinion that the further consideration thereof should be postponed until the next session of Parliament. Which Report was accepted.

The petition of Sylvester Tiffany was read, praying that he might be employed to print the journals of this House and such Provincial Statutes as the House should order to be printed.

Mr. Solicitor General, seconded by Capt. Fraser, moved that this House do not go into any consideration of, the prayer of the said Petition, as the Executive Government of this Province has already appointed persons to print public papers by authority.

And thereupon the question having been put, the same was negatived.

On the motion of Mr. Rogers, seconded by Mr. Beasley,

Ordered, That the said Petition be referred to the Committee which shall be appointed to superintend during the recess of Parliament the printing of the said journals and Acts.

On the motion of Mr. Beasley, seconded by Mr. Solicitor General,— that this House do now adjourn,—the House adjourned accordingly.

Saturday 29th. June 1799.

The House being met, Prayers were read.

The Minutes of the proceedings of yesterday were read.

On the motion of Mr. Rogers, seconded by Mr. Jones,

Ordered, That the Petition of Waters and Simons, respecting the printing of the Acts and Journals, be likewise referred to the discretion of the Committee appointed to superintend during the recess of Parliament the printing of the said Acts and Journals.

Mr. Jessup, seconded by Mr. Rogers, moved for leave to bring in the draft of an humble Address to His Honor the President, praying that Military Claimants and U. E. Loyalists may be indulged with more time to bring forward their claims upon the Crown for the proportions of waste lands due to their services, and leave having been given the draft of an Address to that effect was read.

On the motion of Mr. Jessup, seconded by Mr. Rogers,—that the House do now resolve itself into Committee to go into the consideration of the said Address—

The House resolved itself into Committee accordingly.

Mr. Fairfield in the Chair.

The Committee went through the said Address.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had agreed to the said Address, which Report was accepted, and the said Address ordered to be engrossed.

On the motion of Mr. Solicitor General, seconded by Mr. Beasley,—that the House do now resolve itself into Committee to go further into the examination of the Public Accounts and debts—

The House resolved itself into Committee accordingly.

Mr. Rogers in the Chair.

The Chairman reported that the Committee had gone into the consideration of the said objects, and had voted the payment of the following sums of money to the persons hereinafter named, that is to say:—

To the Provincial Treasurer to defray the expenses of printing the Acts of the third Session	£20.	0.	0.
To Do. defray the expenses of printing the reserved Acts should they be returned from England	20.	0.	0.
To defray the expenses of printing the Journals of the three sessions	120	0.	0.
To the Serjeant at Arms, a Bill for contingencies of the House.	13.	1.	4.
To the Provincial Treasurer to defray the expenses of printing the Acts of the 5th. session of the first Parliament	20.	0.	0.
To the Speaker of the House of Assembly, Bal. of y'rs Salary	98.	9.	2.
To the Master in Chancery	50.	0.	0.
To the Clerk of the Legislative Council	125.	0.	0.
To the Usher of the Black Rod	50.	0.	0.
To the Chaplain of the Legislative Council	30.	0.	0.
To the Doorkeeper of ditto	15.	0.	0.
To the Clerk of the Assembly	125.	0.	0.
To the Serjeant At Arms	50.	0.	0.
To the Chaplain of the Assembly	30.	0.	0.
To the Doorkeeper of ditto	15.	0.	0.
To the Clerks of the two Houses for their contingencies, each 20.	40.	0.	0.
To George Law, a small contingent bill	3.	0.	0.
To three provincial Commissioners who went to Lower Canada, each £50	150.	0.	0.
To the Provincial Treasurer to defray the expenses of printing the draught of Bill for improving the navigation between the Lakes of Ontario and Erie	12.	10.	0.
To the Receiver General towards liquidating the money borrowed from his Chest	500.	0.	0.
	1487.	5.	6.

Which Report was accepted.

Resolved, That Mr. Speaker do request that His Honor the President may be pleased earnestly to request that it may please His Most Gracious Majesty to accept of the surplus of the Provincial Revenues for the purposes of the present just and necessary war, and towards the support of his Government.

A Message was received from His Honor the President, requiring the attendance of the House in the Legislative Council Chamber.

The House having attended accordingly His Honor was pleased to assent in His Majesty's name to the following Bills, to wit:—

An Act to continue an Act intituled "An Act for securing the titles to Lands in the Province."

An Act to provide for the education and support of Orphan Children.

An Act to enable persons holding the office of Registrar to be elected Members of the House of Assembly.

An Act to ratify, approve, and confirm the Provisional Agreement made and entered into by Commissioners on the part of this Province and Commissioners on the part of the Province of Lower Canada.

At the same time His Honor reserved for the future signification of His Majesty's pleasure thereon.

The Bill intituled "An Act for the better ascertaining the appropriations of land to be allotted to the use of a protestant Clergy.

And then Mr. Speaker addressed His Honor in the following terms.

May it please Your Honor:—

To receive from the Commons of Upper Canada with the concurrence of the Legislative Council thereof now met in Parliament the strongest expressions of our most serious concern at finding our Mother Country still obliged to maintain a War against the restless destroyers of the peace of mankind, a war as unprecedented in lawless outrages from her unprincipled enemies as necessary for the preservation of everything that is sacred or dear to her or us.

Though our distance prevents us from feeling the more immediate evils of such a warfare, or from suffering much from the heavy charges which must necessarily attend it, yet we are inclined to sympathize in the warmest manner with our brethren who bear these burthens, and to do all in our power, however little it may be, to alleviate them.

We rejoice, therefore, to see by the accounts now laid before us that a surplus has arisen from the resources of our commerce and the productions of our fiscal regulations above our immediate wants, and we entreat that Your Honor will be pleased to lay at the feet of His Majesty the earnest prayer of his Most Dutiful and Loyal Subjects in this Province that he will be pleased to accept of that mite which is too inconsiderable to be viewed in any other light than as a mark of our devoted attachment to His Royal person and Family, and of our grateful sense of the blessings we enjoy under his Government.

Though mortified that the infancy of our establishment precludes us from the possibility of doing more, yet we trust that will be accepted as a proof of our good will, and we beg leave to express our warmest wishes and well founded hopes that, with the Blessing of God on our industry, covered as we are with the protecting hand of Our Mother Country, and happy under the noble form of Government we derive from her, our means of being useful to her will daily increase.

Upon which His Honor, in His Majesty's name, was pleased to thank the Commons for this mark of their benevolence.

And then His Honor was pleased to make the following Speech to both Houses of Parliament.

Gentlemen of the Legislative Council and Gentlemen of the House of Assembly:—

I am happy that the expedition with which you have gone through the business of the present session enables me to close it so soon, and to release you from your attendance before the hay harvest may require your presence at your respective homes.

Altho' the sequestered situation of this Province has through the favour of Providence hitherto exempted it from sharing in the calamities of the Cruel War which ravages Europe, I cannot too earnestly exhort you to recommend it strongly to your constituents not to relax in their attention to Militia duties, and to keep that portion of each battalion (which has been selected by my desire for active service) in a constant state of readiness to go whenever wanted.

I likewise recommend it to you to lose no opportunity of employing the ability of your respective Districts in opening and repairing the great roads of communication thro' them. For nothing contributes more speedily to the flourishing state of a country than the facility with which its produce can be carried to market, and its laws for the due administration of justice enforced.

I have long lamented that the difficulty of a bad communication with the Capital has prevented my calling you together in winter. Arrangements have therefore been lately made to obviate that difficulty by opening a road at the expense of Government to the Eastern Settlements, and I have every reason to hope that in consequence Parliament may be assembled here in the winter after the next at the latest.

Honorable Gentlemen and Gentlemen.

As it is probable that I may soon return to a private station I gladly avail myself of this occasion to offer you my most hearty thanks for the able and cheerful assistance you have constantly given me in my administration, and to assure you that I shall not cease to derive the greatest satisfaction from every advance towards perfection which may be made in the organization of the Government, and I sincerely wish for, and ardently rejoice in that prosperity of the inhabitants of this Province.

After which the Honorable the Speaker of the Legislative Council in His Honor's name declared the Parliament prorogued until the fifth day of August next, and it was prorogued accordingly.

[Certified to be a True Copy

(Signed) George Mayer

Librarian and Keeper of the Records.

Colonial Office, 18th. July 1855.]

Journal
OF THE
HOUSE OF ASSEMBLY
OF
Upper Canada
1800

Journal

OF THE

HOUSE OF ASSEMBLY

OF

Upper Canada

1800

YORK,
Monday the 2nd. June 1800.

The House met according to proclamation, and for the want of a quorum was adjourned by the Clerk to Thursday next at eleven of the clock in the forenoon.

Thursday the 5th. June 1800.

Captain Thomas McKee, returned as one of the Knights for the County of Kent at the last General Election, took and subscribed at the Table the Oath in such case by law prescribed; the Clerk being authorized to administer the same by virtue of His Majesty's Writ of Dedimus Potestatem to him for that purpose directed, and then took his seat in the House accordingly.

Prayers were read.

A Message from His Excellency the Lieutenant Governor was laid upon the Table by Mr. Thompson.

Mr. Thompson addressed himself to the Clerk, and moved that the said Message be now read, and Mr. Fairfield having seconded the motion, the said message with the consent and approbation of the whole House was accordingly read in the following words, to wit:

Peter Hunter Lieutenant Governor.

The Lieutenant Governor, having reason to believe that the Honorable David William Smith, Esquire, the present Speaker of the House of Assembly, who is now absent from the country, will not return to it in time to discharge the duties of that Office during the present Session, is desirous that the House will immediately proceed to the election of another person to be Speaker, and that the person so elected be presented to the Lieutenant Governor to-morrow at twelve o'clock in the Legislative Council Chamber.

P. H.

Mr. Thomas Smith stood up, and addressing himself to the Clerk, who rising bowed to him and then sat down, proposed to the House for their Speaker Samuel Street, Esquire, in which motion he was seconded by Mr. Beasley.

Whereupon the Clerk, with the consent and approbation of the House, put the question, "Is it the pleasure of this House that Samuel Street, Esquire, be elected their Speaker," and thereupon the House divided.

YEAS.	NAYS.
MR. SMITH	MR. SOL'R. GENERAL
MR. CORNWALL	CAPTAIN FRASER
MR. BEASLEY	CAPTAIN McKEE
MR. THOMPSON	COL. MACDONELL
MR. FAIRFIELD	CAPT. WILKINSON
MR. JESSUP	
MR. HARDISON	

The question was therefore carried in the affirmative by a majority of two, and Mr. Street was accordingly declared duly elected Speaker of this House.

Mr. Speaker-elect then addressing himself to the House requested that being diffident of his capacity to discharge the important duties incident to the Chair of this House he might be permitted to decline the high honor conferred upon him by this choice, but the House not listening to his request he was conveyed to the Chair.

Mr. Speaker-elect then thanked the House for the great Honor conferred upon him.

On the motion of Mr. Solicitor General, seconded by Mr. Smith, the House adjourned until to-morrow morning at 11 O'clock.

Friday the 6th. June 1800.

The House met pursuant to adjournment.

Prayers were read.

A Message was received from His Excellency the Lieutenant Governor requiring the attendance of the House in the Legislative Council Chamber.

The House having attended accordingly

Mr. Speaker-elect addressed His Excellency as follows, to wit:

May it please Your Excellency

Conformably to Your Excellency's Message of yesterday to the Commons, they have proceeded to the election of a Speaker, and their choice has fallen upon me.

Upon which the Hon. the Speaker of the Legislative Council, by His Excellency's command, replied "His Excellency approves the choice of the Commons."

His Excellency was then pleased to make the following Speech to both Houses of Parliament.

Honorable Gentlemen and Gentlemen:—

I cannot deny myself the satisfaction of expressing on this the first opportunity I have of meeting you in Parliament the deep sense I have of the honor conferred upon me by His Majesty in appointing me to represent him in a Province not more distinguished by the gifts which Nature has so abundantly bestowed upon it than by the full enjoyment of all the blessings which flow from the British Constitution, and by the possession, as nearly as circumstances will allow, of the British Constitution itself.

It is no small addition to this satisfaction that my first act as a Member of the Provincial Legislature is to signify to you that the loyalty and dutiful attachment which you have manifested for His Majesty's Person and Family, and your readiness to support His Majesty's exertions for the security of the Empire at large, and for the preservation of our valuable Constitution, by the grant made by you of a surplus of your resources, has been highly grateful to His Majesty, and that His Majesty has been graciously pleased to give it to me in command to communicate to you the just sense which he entertains of your zeal and affection.

Tho' I have called you together at a season of the year when I am sensible that your absence from your respective homes must be attended with material inconvenience I am not aware that I shall have any occasion to detain you long, and I shall look forward with pleasure to the time when the opening of the roads which communicate with the Capital will enable me to meet you at a season when public business may be dispatched without private inconvenience.

Gentlemen of the House of Assembly,

I have directed the Receiver General and other Public Officers to lay before you their respective accounts of receipt and application of the Provincial Revenue, and I feel very considerable pleasure in observing the increase which has been made in it since the earlier period of its collection.

Honorable Gentlemen and Gentlemen,

I lament that it is not in my power to inform you of the approach of peace.

The guilty and deluded Nation which has so long been the scourge of Europe still wastes its strength and exhausts its resources in enslaving its own subjects and oppressing the Nations around it, consistent in nothing but in basely crouching to the Tyrant of the day and yielding to usurpers a degree of obedience which its lawful Sovereigns never exacted.

Force and artifice are alternately employed to violate neutralities, to break the most solemn treaties, to overturn established authorities, and to trample on Liberty, Property and Life. His Majesty, neither fearing its power nor misled by its artifices, still maintains the conduct which will hand down his name to the remotest posterity as the protector of the Rights of Nations and the Guardian of Social Order. The blessings of providence follow his exertions, and while the unabated affection of His subjects secures tranquility at home, the consummate skill and matchless valour which guide and animate his Fleets and armies enable him to baffle every attempt from without that a faithless and implacable enemy is hourly making upon the dignity of a great, free, and happy people.

A True Copy.
(Signed) James Green,
Sec'y.

The House being returned, and Mr. Speaker having taken the chair,

Mr. Fairfield, seconded by Mr. Hardison, moved for leave to bring in on Tuesday next a Bill for the better ascertaining and convicting of such persons as distil or sell spirituous liquors without license, and to repeal certain parts of an Act passed in the 34th. year of His Majesty's Reign intituled "An Act for laying and collecting a duty upon Stills," and leave was given accordingly.

Mr. Speaker by leave of the House then read His Excellency's Speech.

On the motion of Col. Macdonell, seconded by Mr. Hardison,

Ordered, That a Committee of three Members be appointed to report the draught of an Address in answer thereto.

Ordered, on motion of Col. Macdonell seconded by Mr. Thompson, That Mr. Solicitor General, Captain McKee, and Captain Fraser be a Committee accordingly.

On the motion of Mr. Hardison, seconded by Mr. Smith, the House adjourned until to-morrow morning at 10 o'clock.

Saturday 7th. June 1800.

The House being met Mr. Speaker took the Chair.

Prayers were read.

The Minutes of the Proceedings of Monday, Thursday and Friday were read.

Mr. Solicitor General, from the Committee appointed to report the draught of an Address in answer to His Excellency's Speech, reported the draught of an Address accordingly, which Report was accepted.

Mr. Solicitor General by leave of the House then read the said draught in his place.

After which, the same having been read by the Clerk, it was agreed to and ordered to be engrossed.

On the motion of Col. Macdonell, seconded by Capt. McKee.

Ordered, That a Committee of two Members be appointed to wait upon His Excellency the Lieut. Governor to know when he would be pleased to receive the House with the said Address.

Ordered, on motion of Capt. Fraser, seconded by Mr. Solicitor General, That Mr. Cornwall and Mr. Fairfield be a Committee to wait upon His Excellency accordingly.

On the motion of Mr. Solicitor General, seconded by Mr. Hardison the House adjourned until one of the clock in the afternoon of this day.

The House having met agreeably to adjournment, and Mr. Speaker having taken the Chair,

Mr. Fairfield, from the Committee appointed to wait upon His Excellency the Lieut. Governor, to know when he would be pleased to receive the House with their Address in answer to his Speech, reported that they had waited upon His Excellency accordingly, who was pleased to inform them that he would receive the House by the hour of three of the clock this afternoon with their address.

Mr. Speaker informed the House that a slight alteration had been made in engrossing the Address of the House in answer to His Excellency's Speech at the desire of the Committee who had draughted the same.

After which Mr. Speaker read the said Address as engrossed and the same, having been agreed to, was signed by Mr. Speaker, and was as follows—to wit:

To His Excellency, Peter Hunter, Esquire,

Lieutenant Governor of the Province of Upper Canada, and Lieutenant General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada, &c. &c. &c.

May it please Your Excellency:—

We His Majesty's most loyal and dutiful subjects, the Commons of the Province of Upper Canada, in Parliament assembled, beg leave to return our thanks for Your Excellency's Speech.

We cannot deny ourselves the satisfaction of expressing the deep and grateful sense we entertain of the choice which His Majesty has been pleased to make of a person of Your Excellency's distinguished merit to represent him in this Province.

In addition to the gifts which Nature has bestowed upon us we feel happy in the enjoyment of the blessings which flow from the possession of a Constitution approaching as nearly as our local situation will admit to the British Constitution itself, and we anticipate with pleasure the further benefits which we shall derive from Your Excellency's wise and prudent administration.

We gratefully receive His Majesty's most gracious communication respecting the small grant which we were able to offer in support of His Majesty's exertions for the security of the Empire, and the support of our valuable Constitution; and we beg leave to assure Your Excellency that our loyalty and dutiful attachment to His Majesty's person and family shall remain unshaken, and that we shall ever be ready to manifest it by every means in our power.

We have a just sense of Your Excellency's goodness in intimating to us your intention of calling us together (when the opening of the roads which communicate with the Capital will enable Your Excellency), at a season of the year when public business may be dispatched without private inconvenience.

We shall hasten to take into our consideration the respective accounts of the receipt and application of the Provincial Revenue when laid before us.

We lament with Your Excellency that there is no prospect of peace, but however so much aware of its beneficent effects, we are more sensible, of the necessity of a war so essential to the support of our Constitution and our dignity as a Nation. We rejoice that His Majesty has been enabled by the consummate skill and matchless valour which guide and animate his fleets and armies to baffle the attempts of a faithless and implacable enemy, whose only object seems to be the subversion of all social order by trampling upon liberty, property and life; and we hope that by the blessing of providence His Majesty may continue, regardless of their artifices and machinations, to maintain that conduct which will hand down his name to posterity as the Protector of Nations and the support of the dignity and independence of a great, free and happy people.

(Signed)
Samuel Street, Speaker.

York, 7th. June 1800.

On the motion of Mr. Thompson, seconded by Mr. Solicitor General.

Ordered, That the House do now wait upon His Excellency the Lieutenant Governor with their Address and having delivered the same do stand adjourned until Monday next at 10 o'clock in the forenoon.

Monday 9th. June 1800.

The House having met, and Mr. Speaker having taken the Chair.

Prayers were read.

The Minutes of the Proceedings of Saturday last were read.

Mr. Speaker then informed the House that agreeably to the Order of Saturday last the House having waited upon and delivered their Address to His Excellency in answer to his Speech His Excellency was pleased to make the following reply:

Gentlemen:—

I return you my thanks for this very loyal and affectionate Address, and I beg you to be assured that I shall upon all occasions feel equally anxious with yourselves that the happiest effects may constantly result from your deliberations.

Which reply was read by Mr. Speaker from the Chair, and then by the Clerk at the Table.

Mr. Smith, seconded by Mr. Hardison, moved for leave to bring in to-morrow a Bill to regulate the impounding of cattle in the Western District. Leave was given accordingly.

On the motion of Mr. Smith, seconded by Mr. Hardison,

Ordered, That a Committee of revision be appointed to inquire into and report upon such Acts of the Parliament of this province as are expired, or will expire soon.

Ordered, on the motion of Mr. Smith, seconded by Mr. Hardison, That Mr. Solicitor General and Mr. Thompson be a Committee accordingly.

On the motion of Capt. Fraser, seconded by Mr. Fairfield,

Ordered, That Mr. Jessup be added to and included in the said Committee.

On the motion of Mr. Jessup, seconded by Capt. Fraser, the House adjourned until to-morrow morning at 10 o'clock.

Tuesday the 10th. June 1800.

The House being met, and Mr. Speaker having taken the Chair, Prayers were read.

The Minutes of the proceedings of yesterday were read.

Mr. Solicitor General, from the Committee of Revision appointed to inquire into and report upon such Acts of the Parliament of this province as are expired, or will expire soon, reported that the Committee had inquired into such Acts as they judged to come within the reference to them, and submitted the following to the consideration of the House.

1. An Act to nominate and appoint certain Commissioners for the purposes herein mentioned.

2. An Act to provide for the appointment of Returning Officers for the several counties within this province.

3. An Act for making temporary provision for the regulation of trade between this Province and the United States of America by land or by inland navigation.

Which Report was accepted.

Mr. Jessup, seconded by Mr. Solicitor General, moved that the House do now resolve itself into Committee to go into the consideration of the said Acts.

And the House resolved itself into Committee accordingly.

Captain Fraser in the Chair.

The Committee went into the consideration of the said Acts.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee were of opinion that the Act for the appointment of Returning Officers for the several Counties within this Province should be revived and continued in force for and during a term of eight years, and that the other two Acts should remain committed for further consideration, which Report was accepted.

On the motion of Mr. Solicitor General, seconded by Mr. Smith,

Ordered, That a Committee be appointed to draught and bring in a Bill to revive and continue for and during the term of eight years an Act intituled "An Act for the appointment of Returning Officers for the several Counties of this Province."

On the motion of Mr. Beasley, seconded by Mr. Cornwall,

Ordered, That Mr. Solicitor General, Mr. Smith, and Mr. Jessup, be a Committee accordingly.

The Order of the Day being read

A Bill for the better ascertaining and convicting of such persons as sell or distil spirituous liquors without license, and to repeal certain parts of an Act passed in the thirty fourth year of His Majesty's Reign, intituled "An Act for laying and collecting a duty upon Stills" was read the first time.

On the motion of Mr. Beasley, seconded by Mr. Fairfield,

Ordered, That the said Bill be read a second time to-morrow.

Read the first time, a Bill to regulate the impounding of Cattle in the Western District.

On the motion of Mr. Beasley, seconded by Mr. Hardison,

Ordered, That the said Bill be read a second time to-morrow.

Mr. Smith received at the Bar of the House, brought up and laid upon the Table, the four following Petitions, to wit:

The petition of several inhabitants of the Townships of Willoughby and Crowland.

The petition of several inhabitants of the County of Norfolk.

The petition of several inhabitants of the Township of Berlin.

And the petition of several of the inhabitants of the Township of Niagara.

On the motion of Mr. Thompson, seconded by Mr. Solicitor General, the House adjourned until to-morrow morning at 10 o'clock.

Wednesday 11th. June 1800.

The House being met, and Mr. Speaker having taken the Chair, Prayers were read.

The Minutes of the proceedings of yesterday were read.

Mr. Jessup moved, seconded by Capt. Fraser, for leave to bring in a Bill to-morrow for the more equal representation of the Province. Leave was given accordingly.

Mr. Beasley moved, seconded by Mr. Hardison, for leave to bring in a Bill on Friday next for the more uniform laying of assessments, and leave was given accordingly.

Mr. Speaker informed the House that he had received from the Honorable John McGill a packet directed to the Speaker of this House for the time being containing twelve copies of the provisional Statutes of Lower Canada passed during the third session of the second Parliament of that Province, together with a copy of the journals of their House of Assembly for the same period, which he directed to be laid upon the Table for the use and disposal of this House.

The Order of the Day being read

The Bill for the better ascertaining and convicting of such persons as sell or distil spirituous liquors without license, and to repeal certain parts of an Act passed in the thirty fourth year of His Majesty's Reign intituled "An Act for laying and collecting a duty upon Stills" was read the second time.

On the motion of Mr. Fairfield, seconded by Mr. Cornwall, that the House do now resolve itself into Committee to take the said Bill into consideration—the House resolved itself into Committee accordingly.

Capt. McKee in the chair.

The Committee went through the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone through the consideration of the said Bill, and had agreed thereto with amendments. Which Report was accepted.

And the said Bill as amended was read under the amended title of "A Bill to repeal certain parts of an Act passed in the thirty fourth year of His Majesty's Reign, intituled an Act to lay and collect a duty upon Stills, and to enable the distillers of spirituous liquors to vend the same" and agreed upon.

On the motion of Mr. Fairfield, seconded by Mr. Hardison,

Ordered, That the said Bill be engrossed and read a third time to-morrow.

Mr. Solicitor General, from the Committee appointed to draught and bring in a Bill to revive and continue for and during the term of eight years an Act intituled "An Act for the appointment of Returning Officers for the several Counties in this province," reported the draught of a Bill accordingly, which report was accepted.

And the said Bill was read the first time.

On the motion of Mr. Fairfield, seconded by Mr. Cornwall,

Ordered, That the said Bill be read a second time to-morrow.

The Bill to regulate the impounding of cattle in the Western District was read the second time.

On the motion of Mr. Beasley, seconded by Mr. Hardison,—that the House do now resolve itself into Committee to take the said Bill into consideration—the House resolved itself into Committee accordingly.

Captain Fraser in the Chair.

The Committee went through the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone through the said Bill, and had agreed thereto with amendments.

Which Report was accepted, and the said Bill as amended being read was agreed to.

On the motion of Mr. Beasley, seconded by Mr. Cornwall,

Ordered, That the said Bill be engrossed, and read a third time to-morrow.

Mr. Smith moved, seconded by Mr. Cornwall, That the Committee appointed to superintend the printing of the Acts of the Provincial Parliament and of the Journals of this House at the close of the last Session, do now make their report of their proceedings therein.

And the question having been put thereupon the same was carried in the affirmative.

In consequence of which Mr. Beasley, from the said Committee, brought up the Report of the said Committee in writing, and laid the same upon the Table.

On the motion of Mr. Beasley, seconded by Mr. Fairfield,—that the House do now resolve itself into Committee to go into the consideration of the said Report—

The House resolved itself into Committee accordingly.

Capt. Wilkinson in the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Report, and had directed him to report a progress, and to request leave to sit again.

Which Report was accepted and leave was given accordingly.

On the motion of Mr. Solicitor General, seconded by Col. Macdonell the House adjourned until to-morrow morning at 10 o'clock.

Thursday 12th. June 1800.

The House being met and Mr. Speaker having taken the Chair, Prayers were read.

The Minutes of the proceedings of yesterday were read.

The Provincial Treasurer's accounts of the receipt and application of the Provincial Revenue to the present period having been transmitted under cover to the Clerk by order of His Excellency the Lieutenant Governor the same were laid upon the Table.

On the motion of Mr. Fairfield, seconded by Mr. Thompson,

Ordered, That the Order of yesterday for the third reading this day of the engrossed Bill to repeal certain parts of an Act passed in the thirty-fourth of His Majesty's Reign intituled "An Act to lay and collect a duty upon Stills, and to enable the distillers of spirituous liquors to vend the same" be discharged, and that the said Bill be now recommitted.

The House resolved itself into Committee accordingly.

Capt. McKee in the Chair.

The Committee went again into the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had resumed the consideration of the said Bill and directed him to report a progress, and to request leave to sit again in three months, which Report was accepted and leave was given accordingly.

The following four Petitions, brought up on Tuesday last, by Mr. Smith were severally read as follows—to wit:

A Petition subscribed by Samuel Ryers, Esquire, Eward McMichael and 103 other inhabitants of the County of Norfolk.

A Petition subscribed by Thomas Cummings, John Fanning and 1.000 others, inhabitants of the Townships of Willoughby and Crowland.

A Petition subscribed by Samuel Thompson, John Dunn, John McKay, Ralph Clench, Esq., and 53 other inhabitants of the Township of Niagara.

And a Petition subscribed by Benjamin Wilson, Esq. and 68 other inhabitants of the Township of Bertie, all expressions of the grateful sense entertained by the Petitioners of the wisdom and care of this House in causing the Bill intituled "An Act to improve and amend the communication between the Lakes of Ontario and Erie by land and by water" to be printed and circulated for general information at the close of the last session of Parliament, and having refrained from proceeding on the said Bill until further informed thereon.

And all reprobating in nearly the same words the principles of the said Bill as monopolous and oppressive, and praying that the House may refuse its assent thereto if it should at any future period be brought forward.

Mr. Thompson moved, seconded by Mr. Solicitor General, That the House do now resolve itself into Committee to resume the consideration of the Act to nominate and appoint certain Commissioners for the purposes herein mentioned, and the Act for making temporary provision for the regulation of trade between this Province and the United States of America by land or inland navigation, remaining committed since Tuesday last.

And the House resolved itself into Committee accordingly.

Capt. Fraser in the Chair.

The Committee went into the consideration of the said two Acts.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had resumed the consideration of the said two Acts, and were of opinion that there was no necessity for bringing up at present a Bill to continue the Act to nominate and appoint certain Commissioners for the purposes herein named, but that they conceived it necessary that a Bill should be prepared and brought in to provide for the purposes of the other Act referred to their consideration.

Which Report was accepted.

On the motion of Mr. Solicitor General, seconded by Col. Macdonell,

Ordered, That Mr. Beasley and Mr. Thompson be a Committee to prepare and report a Bill to empower the Governor, Lieutenant Governor, or person administering the Government of this Province for the time being, by and with the advice of His Majesty's Executive Council in and for this Province, to make such temporary Rules and Regulations from time to time as may be necessary respecting the trade between this Province and the United States of America.

On the motion of Mr. Solicitor General, seconded by Capt. Fraser,—that the House do now resolve itself into Committee to resume the consideration of the Report of the Committee appointed to superintend the printing of the Acts of the Provincial Parliament and of the Journals of this House,—the House resolved itself into Committee accordingly.

Captain McKee in the Chair.

The Committee resumed the consideration of the said Report.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Report and had directed him to request leave to sit again in three months, which Report was accepted, and leave was given accordingly.

The Bill to regulate the impounding of cattle in the Western District was read the third time as engrossed.

Ordered, That the same do pass, and it was signed by Mr. Speaker accordingly.

The Bill to revive and continue an Act intituled "An Act to provide for the appointment of Returning Officers for the several Counties within this Province" was read the second time.

On the motion of Mr. Beasley, seconded by Capt. Wilkinson,—that the House do now resolve itself into Committee to take the said Bill into consideration—

The House resolved itself into Committee accordingly.

Mr. Thompson in the Chair.

The Committee went into the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill, and had agreed thereto without any amendment, which Report was accepted.

On the motion of Mr. Beasley, seconded by Mr. Hardison,

Ordered, That the said Bill be read a third time to-morrow.

The Bill for the more equal representation of the Province in Parliament was read the first time.

On the motion of Mr. Jessup, seconded by Capt. Fraser,

Ordered, That the said Bill be read a second time to-morrow.

Mr. Beasley presented at the Bar of the House, brought up, and by leave laid upon the Table the following two Petitions, to wit:

The Petition of several of the inhabitants of the District of Niagara.

And the Petition of several of the inhabitants of the township of Pelham.

Mr. Solicitor General, seconded by Mr. Jessup, moved for leave to bring in to-morrow a Bill for the more easy convicting of persons selling spirituous liquors without license, and leave was given accordingly.

On the motion of Mr. Beasley, seconded by Mr. Solicitor General, the House adjourned until to-morrow morning at 10 o'clock.

Friday 13th. June 1800.

The House being met and Mr. Speaker having taken the Chair, Prayers were read.

The Minutes of the proceedings of yesterday were read.

Mr. Beasley, seconded by Mr. Smith, moved that leave be given to him to bring in on Monday next, instead of to-day, according to the leave given on Wednesday last, the Bill for the more uniform laying of assessments. Leave was granted accordingly.

Mr. Speaker informed the House that His Excellency the Lieutenant Governor had been pleased to order eighty-four copies of the Acts of the Second Session of the present Parliament, and twenty-eight copies of the Third Session, to be transmitted to the Clerk to be distributed among the Members of this House, in the following proportions, to wit: six of the former and two of the latter to each Member, and that the Clerk would deliver to each Member his proportion accordingly.

Mr. Thompson, from the Committee appointed to prepare and report a Bill to empower the Governor, Lieutenant Governor, or person administering the Government of this Province for the time being, by and with the advice of His Majesty's Executive Council in and for this Province, to make such temporary rules and regulations from time to time as may be necessary, respecting the trade between this Province and the United States of America, reported the draught of a Bill accordingly; and, having read the same in his place, it was read by the Clerk at the Table for the first time, under the title of "An Act for making a temporary provision for the regulation of trade between this Province and the United States of America, by land or by inland navigation."

On the motion of Mr. Thompson, seconded by Mr. Cornwall,

Ordered, That the said Bill be read a second time to-morrow.

Mr. Speaker informed the House that the Clerk had applied to him for leave that a young gentleman of the name of John Tenbroeck might be permitted to assist him in copying the Proceedings of the House within the Bar.

Ordered, That leave be given accordingly.

On the motion of Mr. Solicitor General, seconded by Capt. Wilkinson,

Ordered, That the said Mr. John Tenbroeck shall at all times withdraw when the House is cleared.

A Bill for the more easy convicting of persons selling spirituous liquors without license was read the first time.

On the motion of Mr. Solicitor General, seconded by Captain Fraser,

Ordered, That the said Bill be read a second time to-morrow.

The Bill to revive and continue an Act to provide for the appointment of Returning Officers for the several Counties within this Province was read the third time.

Ordered, That the said Bill do pass, and the same was accordingly signed by Mr. Speaker.

On the motion of Mr. Thompson, seconded by Mr. Hardison,

Ordered, That Mr. Smith and Mr. Cornwall be a Committee to carry up the said Bill to the Legislative Council, and likewise to carry up at the same time the Bill to regulate the impounding of cattle in the Western District, and to request their concurrence in passing the said Bills.

The Bill for the more equal representation of the Province in Parliament was read the second time.

On the motion of Mr. Jessup, seconded by Mr. Thompson,—That the House do now resolve itself into a Committee to go into the consideration of the said Bill—

The House resolved itself into Committee accordingly.

Mr. Hardison in the Chair.

The Committee went into the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill, and had directed him to report a progress and to request leave to sit again. Which Report was accepted, and leave was given accordingly.

On the motion of Mr. Beasley, seconded by Mr. Hardison, the House adjourned until to-morrow morning at ten o'clock.

Saturday the 14th. June 1800.

The House being met and Mr. Speaker having taken the Chair, Prayers were read.

The Minutes of the Proceedings of yesterday were read.

The Order of the Day being read,

The Bill for the more easy convicting of persons selling spirituous liquors without license was read the second time.

On the motion of Mr. Solicitor General, seconded by Mr. Hardison,—That the House do now resolve itself into Committee to take the said Bill into consideration—

The House resolved itself into Committee accordingly.

Mr. Thompson in the Chair.

The Committee went into the consideration of the said Bill.

The Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill, and had agreed thereto with amendments. Which Report was accepted.

On the motion of Mr. Solicitor General, seconded by Mr. Jessup,—That the House do now go into Committee to consider the said Bill,

The House resolved itself into Committee accordingly.

Mr. Thompson in the Chair.

The Committee resumed the consideration of the said Bill, and made some further amendments therein.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had reconsidered the said Bill, and had agreed thereto, with some further amendments. Which Report was accepted, and the said Bill, as amended, was agreed to.

Ordered, on the motion of Mr. Solicitor General, seconded by Mr. Hardison, that the said Bill be engrossed, and read a third time on Monday.

The following papers were transmitted by order of His Excellency the Lieut. Governor, received by the Clerk, and laid upon the Table, to wit:

A general account of the merchandize entered at the Port of Niagara between the 25th December, 1798, and the 24th December, 1799, inclusive, undersigned by Colin McNabb, Superintendent of Inland Navigation.

And a general account of merchandize shipped from the Port of Kingston during the same period, subscribed by William McKay, Superintendent of Inland Navigation.

The two following Petitions, presented at the Bar of the House, brought up by leave and laid upon the Table on Thursday last, were read, to wit:

The Petition of Joshua Pell, Haggai Skinner, Thomas McMicking, Archibald Thompson, and 67 other inhabitants of the Township of Stamford, in the District of Niagara.

And the Petition of Charles Fleming, Robert Spenser, and twenty-eight other inhabitants of the Township of Pelham, in the said District.

Both Petitions expressing the gratitude of the Petitioners towards the House for the wisdom, vigilance and care shown in causing the Bill to improve and amend the communication between the Lakes of Ontario and Erie by land and by water to be printed, and copies thereof distributed to the inhabitants for the information of the interested, and praying that the House do refuse to assent thereto should it ever be presented again to their deliberations.

The Bill for making a temporary provision for the regulation of trade between this Province and the United States of America by land or by inland navigation was read the second time. On the motion of Mr. Thompson, seconded by Mr. Solicitor General,—that the House do now resolve itself into Committee to go into the consideration of the said Bill—

The House resolved itself into Committee accordingly.

Mr. Fairfield in the Chair.

The Committee went into the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill, and had agreed thereto, with amendments. Which Report was accepted.

And the said Bill, having been read as amended, was agreed to.

On the motion of Mr. Jessup, seconded by Mr. Thompson, the House adjourned until Monday next, at ten o'clock in the forenoon.

Monday, 16th June, 1800.

The House being met and Mr. Speaker having taken the Chair, Prayers were read.

The Minutes of the proceedings of Saturday were read.

On the motion of Mr. Beasley, seconded by Mr. Hardison,

Ordered, That the Bill for making a temporary provision for the regulation of trade between this Province and the United States of America by land or by inland navigation be engrossed and read a third time to-morrow.

The Bill for the more uniform laying of assessments throughout this Province was read the first time.

On the motion of Mr. Fairfield, seconded by Mr. Beasley,

Ordered, That the said Bill be read a second time to-morrow.

The Bill for the more easy convicting of persons selling spirituous liquors without license was read the third time as engrossed, and the same was passed, and signed accordingly by Mr. Speaker.

Mr. Solicitor General, rising in his place and addressing himself to Mr. Speaker, informed the House that he had it in charge from His Excellency the Lieutenant Governor to deliver a written message from him to the House.

And having delivered the same at the Table accordingly, the said message was read in the following words, to wit:—

"The Lieutenant Governor having lately received from His Grace the Duke of Portland, one of His Majesty's principal Secretaries of State, an Order of His Majesty in Council which he is commanded to communicate to the Legislature of this Province transmits a copy of it to the House of Assembly.

COPY.

At the Court of St. James, the 15th day of January, 1800.

Present.

DUKE OF PORTLAND
LORD STEWARD
LORD CHAMBERLAIN
EARL OF CHESTERFIELD
EARL SPENCER
EARL OF LIVERPOOL
VISCOUNT BELGRAVE
LORD CATHCART
LORD HAWKESBURY
SIR WILLIAM SCOTT
MR. STEEL.

Whereas there was this day read at the Board a representation of the Lords of His Majesty's Most Honorable Privy Council stating the inconvenience which may result from His Majesty's approbation being obtained to Acts of the Legislatures of His Majesty's Colonies or Plantations at any considerable interval from the passing thereof, and submitting that unless His Majesty's confirmation to any Act passed in His Majesty's Colonies or Plantations shall be obtained within three years from the passing any such Act in the said Colonies or Plantations respectively, such Act should be considered as disallowed.

His Majesty with the advice of his Privy Council is therefore pleased to declare that in future in all cases when His Majesty's confirmation shall be necessary to give validity and effect to any Act passed by the Legislature of any of His Majesty's Colonies or Plantations, unless His Majesty's confirmation thereof shall be obtained within three years from the passing such Act in any of the said Colonies or Plantations such Act shall be considered as disallowed, and His Majesty is hereby pleased to order that His Grace the Duke of Portland, one of His Majesty's principal Secretaries of State, do receive His Majesty's pleasure for communicating such His Majesty's declaration to the Governors of His Majesty's Colonies or Plantations, to be by him signified to the respective Legislatures of His Majesty's said Colonies or Plantations.

On the motion of Mr. Beasley, seconded by Mr. Hardison,—That the House do now resolve itself into Committee to take into consideration the standing rules of this House—

The House resolved itself into Committee accordingly.

Captain Wilkinson in the Chair.

The Committee read one by one the said Rules, as extracted from the Journals and copied for the use of the House.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had revised the said Rules, and had directed him to report that they had erased out of the extracted schedule all those which they considered as superfluous or unnecessary, and were of opinion that the same should be discharged, and that those which had been retained should be henceforth considered as Standing Rules of the House, be engrossed, and do always lie on the Table for the use of the Members of this House.

Which Report was accepted, and the said Rules to be considered in future as the Standing Rules of this House were read, and the same were agreed to, and an engrossed copy thereof ordered to lie always upon the Table.

Mr. Jessup, seconded by Capt. Fraser, moved for leave to bring in to-morrow a Bill to repeal part of an Act passed in the 37th year of His Majesty's Reign, intituled "An Act to extend the jurisdiction and regulate the proceedings of the District Court and Court of Requests, and to make further provision for the same."

And leave was given accordingly.

On the motion of Mr. Smith, seconded by Mr. Beasley,—that a Committee be appointed to examine into and report upon such books, papers, and records as belong to this House—

On the motion of Mr. Beasley, seconded by Mr. Cornwall,

Ordered, That Mr. Smith, Mr. Solicitor General, and Mr. Jessup be a Committee accordingly.

On the motion of Mr. Beasley, seconded by Capt. McKee, the House adjourned until to-morrow morning at ten o'clock.

Tuesday, 17th June, 1800.

The House being met, and Mr. Speaker having taken the Chair, Prayers were read.

The Minutes of the proceedings of yesterday were read.

A Message was received from the Legislative Council to request the concurrence of this House in passing a Bill sent down for that purpose, entitled "An Act for the further introduction of the Criminal Law of England into this Province, and for the more effectual punishment of certain offenders."

Which Bill was read the first time.

On the motion of Mr. Solicitor General, seconded by Capt. Wilkinson,

Ordered, That the said Bill be read a second time to-morrow.

The Bill for making a temporary provision for the regulation of trade between this Province and the United States of America by land or by inland navigation was read the third time as engrossed.

Ordered, That the said Bill do pass, and the same was signed accordingly.

On the motion of Mr. Fairfield, seconded by Mr. Jessup,

Ordered, That Mr. Smith and Mr. Cornwall be a Committee to carry up the said Bill to the Legislative Council, and do at the same time carry up the Bill for the more easy convicting of persons selling spirituous liquors.

The Bill for the more uniform laying of assessments throughout this Province was read the second time.

On the motion of Mr. Beasley, seconded by Mr. Hardison,

Ordered, That the said Bill be committed to a Committee of the whole House to-morrow.

And then the House resolved itself into a Committee to resume the consideration of the Bill for the more equal representation of the Province in Parliament.

Mr. Speaker resumed the Chair.

The Committee went into the further consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone through the said Bill, and had agreed thereto with amendments. Which Report was accepted.

And the said Bill having been read as amended on motion of Mr. Smith, seconded by Mr. Cornwall,

Ordered, That the said Bill be amended by reducing the representation of the County of Kent to one Member and augmenting that of the County of Essex to two Members.

On the motion of Mr. Solicitor General, seconded by Col. Macdonell,

Ordered, That the said Bill be engrossed and read a third time to-morrow.

The Bill to repeal part of an Act passed in the thirty ninth year of His Majesty's Reign, intituled "An Act to extend the jurisdiction and regulate the proceedings of the District Court and Court of Requests, and to make further provision for the same" was read the first time.

On the motion of Mr. Fairfield, seconded by Mr. Solicitor General,

Ordered, That the said Bill be read a second time to-morrow.

On the motion of Mr. Solicitor General, seconded by Mr. Thompson, the House adjourned until ten o'clock to-morrow morning.

Wednesday 18th. June 1800.

The House being met and Mr. Speaker having taken the Chair, Prayers were read.

The Minutes of the proceedings of yesterday were read.

The Bill to repeal part of an Act passed in the thirty seventh year of His Majesty's Reign, intituled "An Act to extend the jurisdiction and regulate the proceedings of the District Court and Court of Requests, and to make further provision for the same" was read the second time.

On the motion of Mr. Jessup, seconded by Capt. Fraser,—That the House do now resolve itself into Committee to take the said Bill into consideration—the question was put, and the House dividing the same passed in the negative.

On the motion of Mr. Jessup, seconded by Col. Macdonell,—that the House do resolve itself into Committee to-morrow to go into the consideration of the said Bill, the question was put, and carried in the affirmative.

Ordered accordingly, That the House do resolve itself into Committee on the said Bill to-morrow.

The Bill for the further introduction of the Criminal Law of England into this Province, and for the more effectual punishment of certain offenders was read the second time.

On the motion of Mr. Solicitor General, seconded by Capt. Wilkinson,—that the House do now resolve itself into Committee to go into the consideration of the said Bill—

The House resolved itself into Committee accordingly.

Mr. Smith in the Chair.

The Committee went into consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said Bill, and had directed him to report a progress therein, and to request leave to sit again to-morrow. Which Report was accepted and leave was given accordingly.

Mr. Fairfield, seconded by Mr. Beasley, moved for leave to propose some amendments, to be subjoined as additional clauses to the Bill for the more equal representation of the Province in Parliament. And leave being given he read the said amendments in his place and then laid the same upon the Table.

On the motion of Mr. Beasley, seconded by Mr. Hardison,—That the House do now resolve itself into Committee to go into the consideration of the said amendments—

The House resolved itself into Committee accordingly.

Captain Wilkinson in the Chair.

The Committee went into the consideration of the said amendments.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration of the said amendments, and had directed him to report a progress, and to request leave to sit again to-morrow.

Which Report was accepted, and leave was given accordingly.

On the motion of Mr. Beasley, seconded by Mr. Thompson, the House adjourned until to-morrow morning at ten o'clock.

Thursday 19th. June 1800.

The House being met and Mr. Speaker having taken the Chair, Prayers were read.

The Minutes of the Proceedings of yesterday were read.

And then the House resolved itself into Committee to go into the consideration of the Bill to repeal part of an Act passed in the thirty seventh year of His Majesty's Reign, intituled "An Act to extend the jurisdiction and regulate the proceedings of the District Court and Court of Requests, and to make further provision for the same."

Mr. Smith in the Chair.

The Committee went into the consideration of the said Bill.

On notice that Black Rod was at the Door and prayed admittance,

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had made a progress in the consideration of the said Bill, and requested leave to sit again this day.

Which Report was accepted and leave was given accordingly.

A Message was received from the Legislative Council and delivered in the following words:

Mr. Speaker:—The Honorable the Legislative Council have concurred in passing without any amendment a Bill for making a temporary provision for the regulation of trade between this Province and the United States of America by land or by inland navigation.

And also a Bill to revive and continue an Act to provide for the appointment of Returning Officers for the several Counties within this Province.

And then the House resolved itself into Committee to resume the consideration of the Bill last under deliberation.

Mr. Smith in the Chair.

The Committee resumed the consideration of the said Bill and went through the same.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone through the said Bill and had agreed thereto with amendments, which Report was accepted.

And the said Bill being read as amended was agreed to.

At the desire of Mr. Fairfield that the yeas and nays may be reckoned on such agreement, the same were taken down as follows:

Yeas.	Nays.
MR. SOL'R. GENERAL	MR. FAIRFIELD
MR. JESSUP	MR. CORNWALL
MR. THOMPSON	
MR. SMITH	
MR. BEASLEY	
MR. HARDISON	
CAPT. FRASER.	

So that the said question of agreement was carried in the affirmative by a majority of five.

The House then resolved itself into Committee to go further into the consideration of the Bill for the further introduction of the Criminal Law of England into this Province, and for the more effectual punishment of certain offenders.

Mr. Smith in the Chair.

The Committee made a further progress in the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had made further progress in the consideration of the said Bill, and requested leave to sit again.

Which Report was accepted, and leave was given accordingly.

Mr. Thompson, seconded by Mr. Solicitor General, moved that the House do now adjourn, and the question having been thereupon put the same passed in the negative.

After which the House resolved itself into Committee to take into further consideration the amendments proposed to be subjoined as additional clauses to the Bill for the more equal representation of the province in Parliament.

Mr. Hardison in the Chair.

The Committee went again into the consideration of the said amendments.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had made a further progress in the consideration of the said amendments, and had directed him to request leave to sit again.

Which Report was accepted, and leave was given accordingly.

On the motion of Mr. Hardison, seconded by Mr. Solicitor General, the House adjourned until to-morrow morning at ten o'clock.

Friday 20th. June 1800.

The House being met, and Mr. Speaker having taken the Chair, Prayers were read.

The Minutes of the Proceedings of yesterday were read.

Mr. Fairfield, seconded by Mr. Solicitor General, moved that the Order of yesterday for the third reading to-day of the engrossed Bill to repeal part of an Act passed in the thirty seventh year of His Majesty's Reign, intituled "An Act to extend the jurisdiction and regulate the proceedings of the District Court and Court of Requests, and to make further provision for the same" be discharged, and that the said Bill be read a third time in three months.

And the question having been thereupon put the same was carried unanimously in the affirmative.

A Message was received from the Legislative Council and delivered in the following words:

Mr. Speaker:—I am directed by the Honorable the Legislative Council to bring down a Bill to declare the rights of certain grants of waste lands of the Crown, which they have passed, and to request the concurrence of this House in passing the same.

And the Master in Chancery having delivered the said Bill to Mr. Speaker withdrew.

Upon which the said Bill was read the first time.

On the motion of Mr. Fairfield, seconded by Capt. Fraser,

Ordered, That the said Bill be read a second time to-morrow.

On the motion of Mr. Beasley, seconded by Mr. Cornwall,—That the House do now resolve itself into Committee to take into consideration the Bill for the more uniform laying of assessments throughout this Province—

The House resolved itself into Committee accordingly.

Mr. Fairfield in the Chair.

The Committee went into the consideration of the said Bill and went through the same.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone through the said Bill and had agreed thereto with amendments, which Report was accepted.

On the motion of Mr. Beasley, seconded by Mr. Hardison,

Ordered, That the said Bill be engrossed, and read a third time to-morrow.

Mr. Speaker informed the House that the following papers had been transmitted by order of His Excellency the Lieutenant Governor, and laid upon the Table for the information of the House, to wit:

General Account of dutiable articles which passed Coteau du Lac upwards between the first of July and the thirty first of December, one thousand seven hundred and ninety nine, agreeable to the particulars written. Accounts thereof received by the Inspector or as ascertained by him on examination of carriages according to the Act.

And a general account of the like articles passed the same place downwards during the same period ascertained in the like manner.

And then the House resolved itself into Committee to resume the consideration of the amendments proposed to be subjoined or added as additional clauses to the Bill for the more equal representation of the Province in Parliament.

Mr. Hardison in the Chair.

The Committee went through the said proposed amendments.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone through the proposed amendments and had agreed to one thereof.

Which Report was accepted, and the said amendment, being read, was agreed to, and ordered to be added as a clause in and to the said Bill.

And then the House resolved itself into Committee to resume the consideration of the Bill for the further introduction of the Criminal Law of England, into this Province, and for the more effectual punishment of certain offenders.

Mr. Smith in the Chair.

The Committee resumed the consideration of the said Bill and made further progress therein.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had resumed the consideration of the said Bill, and made further progress therein, and requested leave to sit again on Monday.

Which Report was accepted and leave was given accordingly.

On the motion of Captain Wilkinson, seconded by Capt. Fraser, the House adjourned until to-morrow morning at 10 o'clock.

Monday 21st. June 1800.

The House being met, and Mr. Speaker having taken the Chair, Prayers were read.

The Minutes of the proceedings of yesterday were read.

Mr. Beasley, seconded by Mr. Hardison, moved that the order for engrossing the Bill for the more equal representation of this Province in Parliament be discharged, and that the said Bill be read in three months.

And thereupon, Mr. Speaker having asked if the House were prepared for having the question thereof now put,

Mr. Solicitor General, seconded by Capt. McKee, moved that in consideration of the thinness of the House Mr. Speaker do defer putting the said question.

Upon which Mr. Beasley, seconded by Mr. Hardison moved in amendment of Mr. Solicitor General's motion that the words "for five minutes" be added thereto.

Which question as amended having been put was carried in the affirmative unanimously.

Ordered, on the motion of Mr. Fairfield, seconded by Mr. Solicitor General, That the order of yesterday for reading a third time to-day the engrossed Bill for the more uniform laying of assessments throughout this Province be discharged, and that the House do now resolve itself into Committee to reconsider the said Bill.

And the House resolved itself into Committee accordingly.

Mr. Fairfield in the Chair.

The Committee reconsidered the said Bill and made some amendments therein.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had reconsidered the said Bill and made some amendments therein.

Which Report was accepted, and the said Bill, having been read as amended, was agreed to.

On the motion of Mr. Beasley, seconded by Mr. Hardison,

Ordered, That the said Bill be engrossed and read a third time to-morrow.

The Bill to declare the rights of certain grants of waste lands of the Crown was read the second time. On the motion of Mr. Solicitor General, seconded by Mr. Cornwall,—that the House do now resolve itself into Committee to go into the consideration of the said Bill—

The House resolved itself into Committee accordingly.

Captain Wilkinson in the Chair.

The Committee went through the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone through the said Bill and had agreed thereto without any amendment.

Which Report was accepted.

On the motion of Mr. Solicitor General, seconded by Captain Fraser,

Ordered, That the said Bill be read a third time on Monday next.

On the motion of Mr. Beasley, seconded by Mr. Hardison,—That the House do now resolve itself into Committee to go into the consideration of the receipt and application of the Provincial Revenue—

The House resolved itself into Committee accordingly.

Captain Fraser in the Chair.

The Committee went into the consideration of the same.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had made a progress in the consideration thereof, and directed him to request leave to sit again on Monday next.

Which Report was accepted, and leave was given accordingly.

On the motion of Mr. Solicitor General, seconded by Mr. Thompson, the House adjourned until Monday next at ten o'clock in the forenoon.

Monday 23rd. June 1800.

The House being met, and Mr. Speaker having taken the Chair, Prayers were read.

The Minutes of the Proceedings of Saturday last were read.

And then the House resolved itself into Committee to resume the further consideration of the Bill for the further introduction of the Criminal Law of England into this Province, and for the more effectual punishment of certain offenders.

Mr. Smith in the Chair.

The Committee went through the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone through the said Bill and had agreed thereto without any amendment. Which Report was accepted.

On the motion of Mr. Solicitor General, seconded by Col. Macdonell,

Ordered. That the said Bill be read a third time to-morrow.

The Bill for the more uniform laying of assessments throughout this Province was read the third time as engrossed.

Ordered, That the said Bill do pass, and the same was signed accordingly by Mr. Speaker.

Mr. Solicitor General, seconded by Mr. Jessup, moved that the Bill for the more equal representation of the Province in Parliament be now read the third time as engrossed.

And the same was read the third time accordingly, under the title, as amended in Committee, of "A Bill for the more equal representation of the Commons of this Province in Parliament."

On the question being put from the Chair if the said Bill should pass the House divided, and the Yeas and Nays were taken down at the desire of Mr. Beasley, and stood as follows, to wit:

YEAS.	NAYS.
MR. SOL'R GENERAL.	MR. BEASLEY.
COL. MACDONELL.	MR. HARDISON.
CAPT. McKEE.	MR. SMITH.
CAPT. WILKINSON.	MR. CORNWALL.
CAPT. FRASER.	MR. FAIRFIELD.
MR. JESSUP.	
MR. THOMPSON.	

And so it was carried in the affirmative by a majority of two.

Ordered, accordingly, That the Bill intituled as last aforesaid do pass, and the same was signed accordingly by Mr. Speaker.

The Bill to declare the right of certain grants of waste lands of the Crown was read the third time.

Ordered, That the House do concur therein, and that the same do pass accordingly.

Upon which Mr. Speaker signed the same.

On the motion of Mr. Beasley, seconded by Mr. Hardison, Ordered, That Col. Macdonell, Capt. Fraser and Capt. McKee be a Committee to carry up the said Bill to the Legislative Council, and do inform them that this House has concurred in passing the same without any amendment.

And to carry up at the same time the other two Bills which have passed the House this day, and to request their concurrence therein.

Which Committee being returned reported that they had carried up the said Bills and delivered the said Messages.

And then the House resolved itself into Committee to resume the consideration of the receipt and application of the Provincial Revenue.

Captain Fraser in the Chair.

The Committee went through the examination of the Provincial Treasurer's Accounts.

Mr. Speaker resumed the Chair.

The Chairman reported in writing as follows, to wit:

"The Committee to report upon the Provincial Treasurer's Accounts proceeded to take them into consideration, and observed in the Provincial Treasurer's Statements that 53 blank licenses were returned by the Secretary, and in the Secretary's Account there appears to have been returned the same day 43 only, which the Committee beg leave may be explained. It also appears that the Treasurer has stated his allowance of 3% on £423. 8. 9. twice, which the Committee also request explanation of. The Committee recommend that in future the duties arising within each year be stated in an account by themselves, so that a balance may be struck each year of the sum remaining in the Tresurer's hands; and that no monies received from licenses issued in two separate years be included in the same account.

The Committee further recommend that the Clerk of the House do furnish the Provincial Treasurer with a copy of the Report, and request his answer thereto."

Which report was accepted.

A Message was received from the Legislative Council, and delivered in the following words, to wit:

Mr. Speaker:—

The Honorable the Legislative Council have concurred in passing the Bill for the more easy convicting of persons selling spirituous liquors without license, with amendments, which Bill with the amendments therein they now return to this House, and request your concurrence in the latter.

After which the Messenger withdrew.

On the motion of Captain Wilkinson, seconded by Mr. Beasley, the House adjourned until to-morrow morning at ten o'clock.

Tuesday 24th. June 1800.

The House being met, and Mr. Speaker having taken the Chair, Prayers were read.

Mr. Solicitor General, seconded by Mr. Thompson, moved for leave to bring in to-morrow a Bill for the more easy convicting of persons selling spirituous liquors by retail without license, and for the better collection of the Revenue arising from Still, Tavern, and Shop Licenses, and leave was given accordingly.

The Bill for the better introduction of the Criminal Law of England into this Province, and for the more effectual punishment of certain offenders was read the third time.

On the question being put from the Chair, shall the Bill intituled as aforesaid pass, the House divided, and the names were taken down at the desire of Mr. Beasley, and were as follows:—

YEAS.	NAYS.
MR. SOLICITOR GEN.	MR. BEASLEY.
COL. MACDONELL.	MR. HARDISON.
CAPT. McKEE.	MR. SMITH.
CAPT. WILKINSON.	MR. CORNWALL.
CAPT. FRASER.	MR. FAIRFIELD.
MR. JESSUP.	
MR. THOMPSON.	

And so the question was carried in the affirmative by a majority of two.

Ordered, That the said Bill do pass accordingly

And the same was signed by Mr. Speaker.

On the motion of Mr. Solicitor General, seconded by Capt. Fraser,

Ordered, That Col. Macdonell and Capt. McKee be a Committee to return the Said Bill to the Legislative Council, and to inform them that this House have concurred therein and passed the same without any amendment.

Which Committee being returned reported that they had carried up the said Bill and delivered the said Message accordingly.

Mr. Speaker acquainted the House that the Clerk having transmitted a copy of the proceedings of the Committee to examine into the receipt and application of the Provincial Revenue (as reported yesterday) to the Provincial Treasurer had received a written answer, which by the leave of the House was read as follows:—

Treasurer's and Receiver Gen. Off.
23rd. June 1800.

Sir:—

I am to acknowledge the receipt of your letter of this date, and you will be pleased to inform the committee that the Secretary received from Lieut. Governor's Office 196 blank Shop and Tavern Licenses, expirable on the 5th. April 1800, for 143 of which he paid duties to the Treasurer and returned to him fifty three blanks unissued.

The entry of 3% on £423. 8. 9. in two different places of the credit side of the Treasurer's Account is a clerical error which was not adverted to in comparing copies, and for which the Treasurer has to ask pardon. You will therefore be pleased to expunge one of the entries, as it makes no difference in the total.

As the Treasurer in his capacity as Receiver General accounts regularly at the close of each year with the Lords of His Majesty's Treasury, he credits the Public with the duties as he receives them from the Secretary, and as the Secretary from the neglect of his Deputies or other causes makes his payments sometimes of two years together (as in the present instance, where it appears that of Still Licenses expiring in April 1799 part was paid in 1798 part in 1799 and the balance in 1800; and the whole of those in shops and taverns expiring in April 1799 were paid in 1800) it will be almost impossible to comply with the Committee's desire (unless the Secretary is equally regular in his payments) without causing confusion in my accounts, and those to the House of Assembly ought to perfectly correspond in all their parts.

In the Account before the Committee it will be pleased to observe that the Account is enclosed to the 31st. December 1799 on purpose that the Committee might notice that the balance was then in favour of the Treasurer, and consequently nothing left in the close of the year to be transmitted to England for the support of the War.

But the Secretary having since last April paid into the Treasurer's hands the duties on all licenses on the 5th. April 1799, and on the 5th. April 1800 a balance (as therein stated) remains now to be applied as the Honorable House may be pleased to direct.

I am, Sir,
Your Most Obedient Humble Servant,
Peter Russell,
Prov'l. Treasurer.

Angus McDonell, Esq., Clerk to the House of Assembly.

On the motion of Mr. Solicitor General, seconded by Mr. Hardison,—that the House do now resolve itself into Committee to take the observations contained in the said Letter into consideration—

The House resolved itself into Committee accordingly.

Mr. Beasley in the Chair.

The Committee went into the consideration of the said observations.

Mr. Speaker resumed the Chair.

The Chairman brought up the Report of the Committee in writing, which Report being read was accepted, and is as follows, to wit:

The Committee to take into consideration the answer of the Provincial Treasurer to their former Report proceed accordingly, and recommend that the entry of 3% on £423.8.9 in two different places be corrected as requested by the Treasurer.

The Committee are satisfied with the reason assigned by the Provincial Treasurer which prevents him from conforming in future to their recommendation with respect to the annual statement of his accounts.

On the motion of Mr. Beasley, seconded by Mr. Solicitor General, the House adjourned until ten o'clock to-morrow morning.

Wednesday 25th. June 1800.

The House being met, and Mr. Speaker having taken the Chair, Prayers were read.

The Minutes of the Proceedings of yesterday were read.

Mr. Speaker informed the House that two papers had been transmitted under cover to the Clerk by order of His Excellency the Lieutenant Governor, to be laid before the House for their information as follows, to wit:

General account of articles (on which duties on importation are imposed by the Legislature of Lower Canada) which have passed Coteau du Lac upwards from 1st. January to 31st. June 1799, agreeable to written accounts thereof received, or as ascertained on examination of carriages according to the Act.

And general account of dutiable articles which have passed Coteau du Lac downwards during the same period.

Which papers by leave of the House were laid upon the Table.

The clerical errors contained in the Provincial Treasurer's account current for the year last expired agreeable to the report of the Committee thereon was corrected by expunging one of the entries.

A Bill for the more easy convicting of persons selling spirituous liquors by retail without License and for the better collection of the Revenues arising from Still, Tavern and Shop Licenses was read the first time.

On the motion of Mr. Solicitor General, seconded by Col. Macdonell,

Ordered, That the said Bill be now read a second time, and the same was read the second time accordingly.

On the motion of Mr. Beasley, seconded by Mr. Hardison,—That the House do now resolve itself into Committee to take the said Bill into consideration—

The House resolved itself into Committee accordingly.

Captain Fraser in the Chair.

The Committee went through the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone through the said Bill and had agreed thereto with an amendment, which Report was accepted.

And the said Bill having been read as amended was agreed to.

On the motion of Mr. Solicitor General, seconded by Col. Macdonell,—That the said Bill be engrossed and read a third time to-morrow—it was ordered accordingly.

On the motion of Mr. Fairfield, seconded by Col. Macdonell, the House adjourned until ten o'clock to-morrow morning.

Thursday 26th. June 1800.

The House being met, and Mr. Speaker having taken the Chair, Prayers were read accordingly.

The Minutes of the Proceedings of yesterday were read.

Mr. Fairfield, seconded by Mr. Beasley, moved that the order for the third reading this day of the engrossed Bill for the more easy convicting of persons selling spirituous liquors by retail, without license, and for the better collection of the Revenue arising from Still, Tavern and Shop licenses be discharged, and that the said Bill be read a third time in three months.

Whereupon debates ensued.

At fifteen minutes past eleven o'clock Mr. Speaker ordered the Clerk to take down the names of the Members present.

And they were taken down as follows, to wit:

COL. MACDONELL.
CAPT. FRASER.
MR. SMITH.
MR. FAIRFIELD.

And then Mr. Speaker for want of a quorum adjourned the House for one hour.

At fifteen minutes past twelve o'clock, the House having met, and Mr. Speaker taken the Chair

The names of the Members present by desire of Mr. Speaker were taken down as follows, to wit:

MR. THOMPSON.
MR. FAIRFIELD.
MR. JESSUP.
CAPTAIN FRASER.
CAPTAIN WILKINSON.
COLONEL MACDONELL.
MR. SMITH.
MR. BEASLEY.
MR. CORNWALL.

Being nine Members exclusive of Mr. Speaker.

Captain McKee having taken his seat while the Clerk was taking down the number of the Members present,

Ordered, on the motion of Mr. Beasley seconded by Mr. Thompson, That his name be added to the list of those present.

And then the question upon Mr. Fairfield's motion for the third reading of the Bill intituled as aforesaid in three months being put, the House divided thereupon, Yeas five, upon which Mr. Speaker addressing himself to the House observed that as the equal division of the House referred the question to his decision, and as the matter involved matters of intricacy in themselves, and of importance to the country he would defer giving his vote until to-morrow.

Mr. Speaker observed to the House that on adjourning the House at fifteen minutes past eleven o'clock he had caused the absent Members of the House to be notified that the House had been adjourned for one hour only, and that the messenger had called at the residence of Mr. Hardison and had not found him at home.

On the motion of Colonel Macdonell, seconded by Captain Wilkinson,

Ordered, That the Serjeant At Arms do immediately wait upon Mr. Hardison and do inform him to repair forthwith to his service in this House.

A Message was received from the Legislative Council and delivered in the following words, to wit:

Mr. Speaker:—

The Honorable the Legislative Council have concurred in passing the Bill for the more uniform laying of assessments throughout this Province, with amendments, in which amendments they request the concurrence of this House.

And then the Messenger withdrew.

The said Bill was read as amended.

On the motion of Col. Macdonell, seconded by Mr. Beasley, the same was read a second time.

On the motion of Mr. Beasley, seconded by Mr. Solicitor General,—That the House do now resolve itself into Committee to go into the consideration of the said Bill as amended—

The House resolved itself into Committee accordingly.

Captain McKee in the Chair.

The Committee went into the consideration of the said Bill as amended.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had not concurred in the said Bill as amended by the Legislative Council, because being a Bill which had for its object the raising of supplies for the Public Service it would be an infringement of the privileges of the House to permit any amendment or alteration to be made therein in the Legislative Council. The Chairman further reported that he was directed to report that the Committee had taken into consideration the necessity of making some other provision for the purposes of the said Bill, and had draughted another Bill to that effect, the draught of which he had been directed to report.

Which Report was accepted, and the said draught was read the first time under the title of "A Bill for the uniform laying of assessments within this Province."

On the motion of Mr. Beasley, seconded by Mr. Jessup,

Ordered, That the said Bill be read a second time to-morrow.

A Message was received from the Legislative Council, and delivered in the following words,

Mr. Speaker:—

The Honorable the Legislative Council have concurred in passing with amendments a Bill for the more equal representation of the Commons of this Province in Parliament, in which amendments they request the concurrence of this House. They also send down for the concurrence of this House a Bill for the regulation of Special Juries, which they request may meet with your concurrence.

And the Messenger having withdrawn the former Bill as amended in the Legislative Council was read.

On the motion of Mr. Beasley, seconded by Mr. Smith,

Ordered, That the said Bill be read a second time to-morrow.

The Bill for the regulation of Special Juries was also read.

On the motion of Mr. Solicitor General, seconded by Mr. Beasley,

Ordered, That the same be read a second time to-morrow.

Mr. Speaker informed the House that the Serjeant At Arms, having in compliance with the command of the House gone to the residence of Mr. Hardison to request his immediate attending on his service in the House, reported to him that Mr. Hardison had not been found at home.

Ordered, on the motion of Mr. Solicitor General, seconded by Mr. Smith, That there be a call of the House to-morrow, and that the Serjeant At Arms do again repair to the residence of Mr. Hardison, and do acquaint him that such call is on account of his absence this day.

Mr. Smith, from the Committee appointed to examine into and report upon the books and papers belonging to the House, brought up the Report of the said Committee as follows, to wit:

Mr. Speaker:—

The Committee appointed to inspect the books and papers belonging to this House report as follows:

BOOKS

Three Vols. of the Journals of the House of Assembly of the Province of Lower Canada, from the first sitting of its Parliament to the end of the last session in May 1799. 1 Vol. Ordinances of Quebec, lent Mr. Justice Allcock. 2 Vol. of Provincial Statutes of ditto to same period.

PAPERS.

Journals of this House in manuscript from 17th. September 1792 up to the present time, being nine Sessions.

THOMAS SMITH
ROBT. I. D. GRAY Committee.
EDWARD JESSUP

Which Report was accepted.

On the motion of Mr. Smith, seconded by Mr. Beasley,

Ordered, That the House do resolve itself into Committee to-morrow to go into the consideration of the said Report.

On the motion of Colonel Macdonell, seconded by Mr. Beasley, the House adjourned until to-morrow morning at ten o'clock.

Friday 27th. June 1800.

The House being met, and Mr. Speaker having taken the Chair, Prayers were read.

The Minutes of the Proceedings of yesterday were read.

The Bill for the more uniform laying of assessments within this Province was read the second time.

Mr. Speaker informed the House that he felt it to be a matter of much delicacy to give his casting vote upon the question which was reserved yesterday, and expressed a desire that the Members who had voted on the occasion would consent to reconsider the Bill on a Committee of the whole House.

Who having been severally asked touching their consent that the House do now resolve itself into Committee to reconsider the said Bill all answered in the affirmative, Mr. Beasley excepted, who made answer in the negative.

And thereupon the House resolved itself into Committee to reconsider the Bill for the more easy convicting of persons selling liquors by retail without license, and for the better collection of the Revenue arising from Still, Tavern and Shop Licenses.

Mr. Cornwall in the Chair.

The Committee went into the consideration of the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had reconsidered the said Bill and had agreed thereto with amendments.

Which Report was accepted, and the said Bill having been read as amended was agreed to.

Mr. Beasley moved, seconded by Mr. Smith, That the said Bill be re-engrossed and read a third time this day.

And the question having been thereof put the same passed in the negative.

Mr. Beasley moved, seconded by Mr. Cornwall, that the said Bill be re-engrossed and read a third time to-morrow.

And the question having been thereupon put passed in the negative.

Mr. Beasley moved, seconded by Mr. Smith, That the said Bill be now re-engrossed.

And thereupon the question having been put the same was carried in the affirmative.

Agreeable to the Order of the Day the names of the Members of this House were called over, of whom the following only were absent, to wit:

David William Smith, Esq.
Solomon Jones, Esq.

The Bill for the more equal representation of the Commons of this Province in Parliament, as amended by the Legislative Council, was read the second time.

On the motion of Mr. Solicitor General, seconded by Mr. Cornwall,—That the House do now resolve itself into Committee to take the said Bill as amended into consideration,—

The House resolved itself into Committee accordingly.

Mr. Jessup in the Chair.

The Committee went through the said Bill as amended.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone through the said Bill as amended, and had agreed thereto excepting in one particular. Which Report was accepted.

On the motion of Mr. Solicitor General, seconded by Mr. Beasley,

Ordered, That Capt. McKee, Mr. Cornwall, Mr. Smith, Colonel Macdonell and Captain Wilkinson be a Committee to request a conference with the Honorable the Legislative Council upon the subject of an amendment made by them in a Bill for the more equal representation of the Commons of this Province in Parliament.

On the motion of Mr. Beasley, seconded by Mr. Cornwall,—That the House do now resolve itself into Committee to go into the consideration of the Bill for the more uniform laying of assessments within this Province—

The House resolved itself into Committee accordingly.

Capt. McKee in the Chair.

The Committee went through the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone through the said Bill and had agreed thereto without any amendment, which Report was accepted.

On the motion of Mr. Beasley, seconded by Mr. Cornwall,

Ordered, That the said Bill be engrossed and read a third time to-morrow.

On the motion of Mr. Solicitor General, seconded by Mr. Smith,

Ordered, That the Order for the second reading this day of the Bill for the regulation of Special Juries be discharged, and that the said Bill be read a second time to-morrow.

On the motion of Mr. Solicitor General, seconded by Mr. Jessup, the House adjourned until to-morrow morning at ten o'clock.

Saturday 28th. June 1800

The House being met, and Mr. Speaker having taken the Chair, Prayers were read.

The Minutes of the proceedings of yesterday were read.

The Bill for the more easy convicting of persons selling spirituous liquors by retail without license and for the better collection of the Revenue arising from Still, Tavern and Shop Licenses was read a third time as engrossed.

On the motion of Mr. Smith, seconded by Mr. Fairfield, leave was given to amend the said Bill by means of a rider annexed thereto, and then it was ordered that the said Bill do pass, and Mr. Speaker signed the same accordingly.

On the motion of Colonel Macdonell, seconded by Captain Wilkinson,

Ordered, That Captain McKee, in consequence of the indisposition of his family, have leave to withdraw himself from the Committee appointed to request a conference with the Legislative Council upon the subject of an amendment made by them in the Bill for the more equal representation of the Commons of this Province in Parliament, and that Mr. Beasley be added to the said Committee in lieu of Capt. McKee.

The Bill for the regulation of Special Juries was read the second time.

On the motion of Mr. Thompson, seconded by Mr. Jessup,—That the House do now resolve itself into Committee to go into the consideration of the said Bill—

The House resolved itself into Committee accordingly.

Mr. Fairfield in the Chair,

The Committee went through the said Bill.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone through the said Bill, and had agreed thereto with an amendment, which Report was accepted.

And the said amendment having been read was agreed to.

On the motion of Mr. Solicitor General, seconded by Captain Wilkinson leave was given to Mr. Solicitor General to propose an additional clause to be inserted in the Bill for the more uniform laying of assessments within this Province, and the said additional clause having been read was agreed to, and ordered to be now engrossed and be part of the said Bill.

On the motion of Col. Macdonell, seconded by Captain Wilkinson,

Ordered, That a Committee be appointed to carry up to the Legislative Council for their concurrence the Bill for the more easy convicting of persons selling spirituous liquors by retail without license, and for the better collection of the Revenue arising from Still, Tavern and Shop Licenses.

On the motion of Mr. Thompson, seconded by Mr. Beasley,

Ordered, That Capt. Fraser, Mr. Fairfield, and Mr. Smith be a Committee accordingly.

And then the House resolved itself into Committee to take up again the consideration of the Books and Papers belonging to the House.

Mr. Beasley in the Chair.

The Committee went into the consideration of such additional Books and Papers as it may be expedient to procure for the use of both Houses of Parliament.

On notice that Black Rod was at the Door,

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had made a progress in the consideration of the said subject, and requested leave to sit again this day.

Which Report was accepted, and leave was given accordingly.

A Message was received from the Legislative Council, and was delivered in the following words.

Mr. Speaker:—

The Honorable the Legislative Council request to know upon which amendment made in the Bill for the more equal representation of the Commons of this Province in Parliament the Assembly wishes a conference.

And then the Messenger withdrew.

Mr. Solicitor General moved, seconded by Col. Macdonell, That a Committee be appointed to inform the Legislative Council that the amendment upon which this House requested a conference with them was that which altered their provision for the representation in Parliament of the District of London and the Western District.

On the motion of Mr. Smith, seconded by Mr. Thompson,

Ordered, That Mr. Beasley accompanied by Mr. Cornwall do inform the Legislative Council that this House has requested a conference upon the subject of the said amendment.

Mr. Beasley having returned reported that he had carried up the said Message to the Legislative Council.

On the motion of Mr. Solicitor General, seconded by Col. Macdonell.

Ordered, That the amendment made to the Bill for the regulation of Special Juries be now engrossed.

And then the House resolved itself into Committee to resume the consideration of the Books and Stationery proper to be procured for the use thereof.

Mr. Beasley in the Chair.

The Committee resumed the consideration aforesaid.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had resumed the consideration of the said Subject, and had directed him to report as follows, to wit:—

The Committee report that it is necessary that the House should be furnished with the following articles, which they recommend to the House to, direct to be procured viz:

1. Large Blank Book for the Journals to be fairly copied into
1. Large Blank Book for the Laws to be copied into
1. Set of the British Statutes at Large.
1. Flatsells Precedents.
1. Blackstone's Commentaries.
1. Burns' Justice
1. The Law of Parliament
Half a dozen complete sets of the Provincial Laws of Upper Canada.
1. Glass Book case.

And that the sum of £70. be voted for the purpose of purchasing the above articles, and that an Humble Address be presented to His Excellency the Lieutenant Governor praying him to issue his Warrant in favour of the Honorable the Speaker of the House of Assembly for the purpose aforesaid.

The Committee recommend that this Report be amended, and that the sum voted be altered from £70. to £30. in consequence of the Statutes at large, Flatsell's Commentaries, and the Law of Parliament being otherwise obtained.

Which Report was accepted.

The Bill for the more uniform laying of assessments within this Province was read the third time as engrossed.

Ordered, That the same do pass, and it was signed accordingly by Mr. Speaker.

The amendments made in the House to the Bill for the regulation of Special Juries were read as engrossed.

Ordered, That the same do pass, and the same was signed accordingly by Mr. Speaker.

On the motion of Colonel Macdonell, seconded by Mr. Jessup,

Ordered, That Mr. Solicitor General accompanied by Captain Wilkinson and Captain Fraser do carry up to the Legislative Council the Bill for the more uniform laying of assessments within this Province, and do request their concurrence therein, and do likewise return to them the Bill for the regulation of Special Juries, with the amendments of this House thereto, and do inform them that this House has passed the same with the said amendment.

A Message was received from the Legislative Council and delivered in the following words.

Mr. Speaker:—

The Honorable the Legislative Council have appointed a Committee who are now ready to meet a Committee of your House in the Legislative Council Chamber for the purpose of conferring upon the amendment made to the Bill for the more equal representation of the Commons of this Province in Parliament.

And then the messenger withdrew.

Upon which it was ordered, on the motion of Mr. Solicitor General, seconded by Colonel Macdonell, that Mr. Smith and Mr. Beasley be a Committee to confer immediately with the Committee of the Legislative Council on the subject of the said amendment.

A Message was received from the Legislative Council and delivered in the following words.

Mr. Speaker:—

The Honorable the Legislative Council have concurred in passing with amendments the Bill sent up to them intituled "An Act for the more easy convicting of persons selling spirituous liquors by retail without license, and for the better collection of the Revenue arising from Still, Tavern, and Shop licenses, in which amendment they request the concurrence of this House.

And then the messenger withdrew.

Upon which the amendments made in the Legislative Council to the said Bill were read.

On the motion of Mr. Solicitor General, seconded by Captain Fraser,

Ordered, That the said Bill as amended in the Legislative Council be laid aside as the amending of a Bill connected with the raising of the Revenue is contrary to the privileges of this House.

Mr. Cornwall, from the Committee appointed to confer with a Committee of the Legislative Council on the subject of their objectionable amendment to the Bill for the more equal representation of the Commons of this Province in Parliament, reported that having conferred accordingly the Managers from the Legislative Council had concurred with those from this House in the propriety of withdrawing the said amendment.

Which Report was accepted.

A Message was received from the Legislative Council and delivered in the following words.

Mr. Speaker:—

The Honorable Legislative Council agree to withdraw so much of their amendments made in the Bill for the more equal representation of the Commons of this Province in Parliament as relates to the District of London and the Western District.

Upon which the messenger withdrew.

Mr. Solicitor General, seconded by Captain Wilkinson, moved for leave to bring in on Monday next a Bill for the more easy convicting of persons selling spirituous liquors without a license.

And the question having been put, "Shall leave be given accordingly," the same passed in the negative.

On the motion of Mr. Solicitor General, seconded by Captain Wilkinson,

Ordered, That the Bill for the more equal representation of the Commons of this Province in Parliament be engrossed as amended with the concurrence of the Legislative Council, and read on Monday next.

Captain Fraser, seconded by Mr. Solicitor General, moved for leave to bring in a Bill for the summary conviction of persons selling spirituous liquors by retail without license.

And leave having been given accordingly the same was read the first time.

On the motion of Captain Fraser, seconded by Captain Wilkinson, the said Bill was read a second time.

On the motion of Captain Fraser, seconded by Col. Macdonell,

Ordered, That the said Bill be engrossed, and read a third time on Monday next.

A message was received from the Legislative Council, and delivered in the following words.

Mr. Speaker:—

The Honorable the Legislative Council return to this House the Bill for the more uniform laying of assessments within this Province, which they have concurred in passing without amendment.

And the Messenger, having delivered the said Bill as amended to Mr. Speaker, withdrew.

On the motion of Col. Macdonell, seconded by Mr. Solicitor General, the House adjourned until Monday morning at eight o'clock.

Monday 30th. June 1800.

The House being met, and Mr. Speaker having taken the Chair, Prayers were read.

The minutes of the proceedings of Saturday last were read.

The Bill for the more equal representation of the Commons of this Province in Parliament was read as amended and engrossed under the title of "A Bill for the more equal representation of the Commons of this Province in Parliament and for the better defining the qualifications of Electors."

On the motion of Mr. Smith, seconded by Mr. Cornwall,

Ordered, That Mr. Solicitor General, accompanied by Captain McKee, do go up to the Legislative Council, and inform them that this House has concurred in their amendments to the said Bill with the modifications consented to in the conference thereon.

On the question being put by Mr. Speaker, "Shall the Bill intituled as aforesaid pass," Mr. Fairfield requested that the Yeas and Nays should be taken down, and they were taken down as follows to wit:—

YEAS.	NAYS.
MR. SOL'R GENERAL.	MR. FAIRFIELD
CAPTAIN WILKINSON	MR. BEASLEY
CAPT. McKEE.	MR. CORNWALL
MR. SMITH	
COL. MACDONELL	
CAPTAIN FRASER	
MR. JESSUP	
MR. THOMPSON	

And so it was carried in the affirmative by a majority of five.

Ordered, accordingly, That the said Bill do pass, and the same was signed by Mr. Speaker accordingly.

On the motion of Mr. Solicitor General, seconded by Capt. Fraser.

Ordered, That Captain McKee and Captain Wilkinson be a Committee to carry up the said Bill to the Legislative Council, and to inform them that this House has concurred therein as amended.

On the motion of Mr. Solicitor General, seconded by Capt. Fraser,—That the House do now resolve itself into Committee to go in the consideration of the receipt and application of the Provincial Revenue—

The House resolved itself into Committee accordingly

Capt. Wilkinson in the Chair.

The Committee went into the consideration of the sums of money due to the Officers of the Provincial Parliament for salaries and contingencies.

Mr. Speaker resumed the Chair.

The Chairman reported a progress, and requested leave to sit again this day.

Which Report was accepted, and leave was given accordingly.

Ordered, on the motion of Mr. Solicitor General seconded by Capt. Fraser, That a message be sent to the Honorable the Legislative Council requesting them to inform this House what Officers they have had occasion to employ during the present Session, that provision may be made by this House for the payment of their salaries.

On the motion of Mr. Solicitor General, seconded by Capt. McKee,

Ordered, That Mr. Thompson and Mr. Smith be a Committee to carry up the said message.

The Bill for the more uniform laying of assessments, and rates throughout this Province as engrossed, was read the third time.

Ordered, That the said Bill do pass, and Mr. Speaker signed the same accordingly.

On the motion of Mr. Beasley, seconded by Mr. Smith,

Ordered, That Capt. Fraser and Mr. Cornwall be a Committee to carry up the said Bill to the Legislative Council, and to request their concurrence therein.

A Message was received from the Legislative Council, and delivered in the following words.

Mr. Speaker:—

I am directed by the Honorable the Legislative Council to bring down to this House a list of the officers who have been attendant upon the Honorable the Legislative Council during the present Session.

And having delivered the same the Messenger withdrew.

Which list was read as follows, to wit:

Officers attendant upon the Honorable the Legislative Council during the fourth session of the second Provincial Parliament of Upper Canada.

Rev. John Stuart, D.D. Chaplain.
David Burns, Esq. Master in Ch'y.
James Clark, Esq. Clerk.
George Law, Esq. Usher of the Black Rod.
Mr. John McBride, Door-keeper.

J. Elmsley,
Speaker.

On motion of Capt. Fraser, seconded by Mr. Solicitor General,—That the House do now resolve itself into Committee to resume the consideration of the receipt and application of the Provisional Revenue—

The House resolved itself into Committee accordingly.

Captain Wilkinson in the Chair.

The Committee resumed the consideration thereof.

Mr. Speaker resumed the Chair.

The Chairman reported a further progress, and requested leave to sit again to-morrow.

Which report was accepted, and leave was given accordingly.

A Message was received from the Legislative Council and delivered in the following words, to wit:

Mr. Speaker,

The Honorable the Legislative Council have concurred in the amendment made by this House to the Bill for the regulation of Special Juries, and have concurred in passing without any amendment the Bill for the more uniform laying of assessments and rates throughout this Province.

And then the messenger withdrew.

The Bill for the summary conviction of persons selling spirituous liquors by retail without license was read a third time as engrossed.

Ordered, That the said Bill do pass, and the same was signed by Mr. Speaker accordingly.

On the motion of Mr. Solicitor General, seconded by Capt. Fraser.

Ordered that Mr. Fairfield and Mr. Cornwall be a Committee to carry up the said Bill to the Legislative Council, and to request their concurrence therein.

On motion of Capt. Fraser, seconded by Mr. Solicitor General the House adjourned until to-morrow at twelve o'clock.

Tuesday 1st. July 1800.

The House being met, and Mr. Speaker having taken the Chair, prayers were read.

The Minutes of the proceedings of yesterday were read.

On the motion of Mr. Jessup, seconded by Mr. Hardison,—that the House do now resolve itself into Committee to resume the consideration of the receipt and application of the Provincial Revenue—

The House resolved itself into Committee accordingly.

Capt. Wilkinson in the Chair.

The Committee resumed the consideration aforesaid.

Mr. Speaker resumed the Chair.

The Chairman brought up the Report of the Committee in writing, as follows, to wit:

REPORT OF THE COMMITTEE TO TAKE INTO THEIR CONSIDERATION THE RECEIPTS AND APPLICATION OF THE PROVINCIAL REVENUE.

Resolved, That the following sums of money be paid to the respective persons hereinafter mentioned.

To the Speaker of the House of Assembly for his Salary	£200.	0.	0.
To the Speaker of ditto to enable him to purchase sundry Books and other articles for the use of the House of Assembly	30.	0.	0.
To the Speaker of ditto to enable him to have fifty copies of the Journals of the House printed	150.	0.	0.
To the Clerk of the House of Assembly for his salary	125.	0.	0.
To ditto for contingencies	50.	0.	0.
To the Clerk of the Legislative Council for his salary	125.	0.	0.
To ditto for contingencies	20.	0.	0.
To the Chaplain of the Legislative Council	30.	0.	0.
To ditto of the Assembly	30.	0.	0.
To the Serjeant At Arms	50.	0.	0.
To the Bearer of the Black Rod	30.	0.	0.
To the Doorkeeper of the Legislative Council	15.	0.	0.
To ditto for extra services in going with messages	5.	0.	0.
To the Doorkeeper of the House of Assembly	15.	0.	0.
To ditto for other services as above	5.	0.	0.
To Sylvester Tiffany, Printer, for printing a Bill intituled An Act to improve the communication by land and by water between the Lakes of Ontario and Erie pursuant to the Order of last Session	4.	10.	0.
To the Bearer of the Black Rod for a sword	6.	5.	0.
To the Serjeant at Arms for do	6.	5.	0.
To Do for contingencies	5.	15.	0.
To Capt. Hugh McDonell, Adjt. General of the Militia, for one year and nine months salary due him in June 1797, the fund appointed by law not proving sufficient to pay him	139.	13.	9.
	£1,032.	8.	9.

Resolved, That an Humble Address may be presented to His Excellency the Lieutenant Governor that he will be pleased to issue his Warrant in favor of the several persons herein above mentioned for the sums of money voted to them, and that the same may be charged to the fund appropriated for that purpose, and that the residue may be applied in such manner as it shall please His Majesty to direct towards the support of the War.

R. N. Wilkinson,
Chairman.

Which Report was accepted and approved by the House.

Samuel Street,
Speaker.

On the motion of Mr. Solicitor General, seconded by Captain McKee,

Ordered, That the Clerk of this House do furnish Mr. Speaker without delay a Copy of the Journals of the two Parliaments.

On the motion of Mr. Solicitor General, seconded by Mr. Hardison the House adjourned until to-morrow morning at nine o'clock.

Wednesday 2nd. July 1800.

The House being met, and Mr. Speaker having taken the Chair, Prayers were read.

The Minutes of the proceedings of yesterday were read.

A Message was received from the Legislative Council, and delivered in the following words.

Mr. Speaker:—

The Honorable the Legislative Council have concurred in passing the Bill for the more summary conviction of persons selling spirituous liquors by retail without license without any amendment.

And then the messenger withdrew.

Ordered, on the motion of Mr. Solicitor General, seconded by Capt. McKee, That a Committee be appointed to carry up to the Legislative Council a copy of the resolutions and votes of this House for the payment of the salaries and contingent accounts due to the Officers of the two Houses of Parliament and to other persons, and for other purposes therein mentioned.

On the motion of Mr. Solicitor General, seconded by Capt. McKee,

Ordered, That Mr. Thompson and Mr. Jessup be a Committee to carry up the same to the Legislative Council.

On the motion of Mr. Solicitor General, seconded by Mr. Smith,—That the names of the Members now present be taken down—

The names were taken down accordingly as follows

MR. SPEAKER
MR. SOLICITOR GENERAL.
MR. SMITH
CAPTAIN McKEE
CAPTAIN FRASER
COLONEL MACDONELL
MR. FAIRFIELD

CAPTAIN WILKINSON
MR. THOMPSON
MR. CORNWALL
MR. JESSUP
MR. BEASLEY
MR. HARDISON.

A message was received from the Legislative Council and delivered in the following words.

Mr. Speaker:—

The Honorable the Legislative Council request that the House of Assembly do furnish them with a list of the sums voted during this Parliament to the several Officers of the respective Houses for their Salaries and contingent charges.

On the motion of Mr. Solicitor General, seconded by Captain Fraser,—That the House do now resolve itself into Committee to take the said message into consideration—

The House resolved itself into Committee accordingly.

Mr. Hardison in the Chair.

The Committee went into the consideration of the said message.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had gone into the consideration aforesaid, but had come to no resolution thereupon, which Report was accepted.

Mr. Solicitor General, seconded by Capt. Fraser, moved for leave to bring in to-morrow a Bill for the relief of Hugh Macdonell, late Adjutant General of the Militia of this Province

And leave was given accordingly.

Mr. Solicitor General, seconded by Capt. Fraser moved for leave to bring in to-morrow a Bill to defray the salaries of the different Officers, and the contingent expenses of the Legislative Council and Assembly of this Province during the present Session.

And leave was given accordingly.

On the motion of Mr. Solicitor General, seconded by Colonel Macdonell, the House adjourned until to-morrow morning at nine o'clock.

Thursday 3rd. July 1800.

The House being met and Mr. Speaker having taken the Chair, Prayers were read.

The Minutes of the Proceedings of yesterday were read.

At fifteen minutes after four o'clock in the afternoon

On the motion of Mr. Thompson, seconded by Mr. Jessup,

Ordered, That the whole proceedings of this day be struck off the Journals as tending to derogate from the rights and privileges of this House.

Mr. Speaker having desired the Yeas and Nays to be taken down on the question being put in respect of the said Order, the same were taken down, and stood as follows, to wit:

YEAS.	NAYS.
MR. HARDISON	MR. SOL'R GENERAL
MR. FAIRFIELD	
MR. THOMPSON	
MR. JESSUP	
MR. CORNWALL	
MR. SMITH	
CAPT. WILKINSON	

And so it was carried in the affirmative by a majority of seven.

On the motion of Mr. Solicitor General, seconded by Colonel Macdonell, the House adjourned until to-morrow morning at ten o'clock.

Friday 4th. July 1800.

The House being met, and Mr. Speaker having taken the Chair, Prayers were read.

The Minutes of the Proceedings of yesterday were read.

A Message was received from His Excellency the Lieutenant Governor by the Gentleman Usher of the Black Rod, and delivered in the following words, to wit:

Mr. Speaker:—

I am commanded by His Excellency the Lieutenant Governor to inform this House that His Excellency requires their immediate attendance in the Legislative Council Chamber.

And the House having attended there accordingly, His Excellency was pleased to assent in His Majesty's name to the following Bills.

A Bill intituled "An Act for the further introduction of the Criminal Law of England into this Province, and for the more effectual punishment of certain offenders."

A Bill intituled "An Act for the regulation of Special Jurors."

A Bill intituled "An Act for the more equal representation of the Commons of this Province in Parliament, and for the better defining of the qualifications of electors."

A Bill intituled "An Act for the summary conviction of persons selling spirituous liquors by retail without license."

A Bill intituled "An Act to revive and continue an Act to provide for the appointment of Returning Officers for the several counties within this Province."

And a Bill intituled "An Act for making a temporary provision for the regulation of trade between this Province and the United States of America, by land or by inland navigation."

And His Excellency was pleased to reserve for the future signification of His Majesty's pleasure thereon.

A Bill intituled "An Act to declare the rights of certain grants of waste lands of the Crown."

And a Bill intituled "An Act for the more uniform laying of assessments and rates throughout this Province."

After which His Excellency was pleased to make the following Speech to both Houses of Parliament.

Honorable Gentlemen, and Gentlemen:—

It gives me pleasure that the termination of the Public Business enables me to dismiss you at an early part of the season.

The period is arrived, when, by Constitution of this Province, the present Legislature must be dissolved and a new one formed.

Gentlemen of the Assembly,

In returning to your former stations I trust that you will carry with you much useful information. The experience of four years must have impressed upon your minds a strong sense of the importance of the situation you have filled.

You will therefore, I hope, be desirous to guide and assist your constituents in the choice of those whom they are about to invest with the character of their representatives.

You will point out to them the necessity of selecting those who unite integrity of intention to a correct knowledge of the interests of their country, those who are too well informed to mistake the advantages of a part for the advantages of the whole, and too upright to cover private views with the appearance of public zeal.

To you, Honorable Gentlemen of the Legislative Council, the considerations which address themselves to the representative branch of the Legislature do not apply, but I am confident that you will never cease to remember that the distinction with which the Constitution has invested you obliges you to keep the good of the whole as much in view as if you acted under delegated authority.

I observe with pleasure that many of you are Lieutenants of Counties, and that all of you are Magistrates.

In forming and disciplining the several Regiments of Militia under your command you will be both honorably and usefully employed. But it is more especially in enforcing obedience to the laws and in maintaining good order among those who are within the sphere of your influence and authority, that you will best discharge the appropriate duties of your elevated situation.

In both the one and the other character you may depend on receiving from me every degree of support and every kind of assistance which it is in my power to give.

After which the Honorable the Speaker of the Legislative Council in His Excellency's Name declared the present Parliament prorogued until Tuesday the fourteenth day of August next.

And the same was prorogued accordingly.

Copied from the Original.

(Signed) A. Macdonell.

Clerk of Ass'y.

[Journal of the House of Assembly of the Province of Upper Canada in 1800, certified to be a true copy.

(Signed) Geo. Mayer,

Librarian and Keeper of the Records.

Colonial Office, 18th. July 1855.]

Journal

OF THE

HOUSE OF ASSEMBLY

OF

Upper Canada

1801

Journal

OF THE

HOUSE OF ASSEMBLY

OF

Upper Canada,

1801.

PROCLAMATION.

GEORGE the Third, By the Grace of God of Great Britain, France and Ireland King, Defender of the Faith and so forth.

To Our well beloved and faithful, the Legislative Councillors of Our Province of Upper Canada, and to our beloved and faithful the Knights, Citizens and Burgesses of the House of Assembly of our said Province called and chosen to our present Parliament of our said Province and to all our loving subjects whom these presents may concern, Greeting: Whereas we have thought fit, by and with the advice of our Executive Council of our said Province of Upper Canada to dissolve this present Parliament of our said Province, which now stands prorogued till the fourteenth of August next, we do for that end publish this our Royal Proclamation and do hereby dissolve the said Provincial Parliament accordingly, and the Legislative Councillors, and the Knights, Citizens and Burgesses of the House of Assembly are discharged from their meeting and attendance on Thursday the said fourteenth day of August next.

And we, being desirous and resolved that as soon as may be to meet our people of our said Province and to have their advice in Provincial Parliament do hereby make known our Royal Will and Pleasure to call a new Provincial Parliament, and do hereby declare that with the advice of our said Executive Council we have this day given orders for the issuing out Writs in due form for calling a new Provincial Parliament in our said Province, which writs are to bear test on Wednesday the ninth day of this present month of July, and to be returnable on Friday the fifteenth day of August next. In testimony whereof we have caused these our Letters to be made patent, and the Great Seal of our said Province to be hereunto affixed. Witness our Trusty and Well Beloved Peter Hunter Esquire, our Lieutenant Governor of our said Province of Upper Canada, and Lieutenant General Commanding our Forces in our Provinces of Upper and Lower Canada, at York in the Province of Upper Canada this seventh day of July in the Year of Our Lord One Thousand Eight Hundred, and in the fortieth year of our Reign.

P. H.

(Signed) William Jarvis, Sec'y.

By a further Proclamation of His Excellency Peter Hunter Esquire, Lieutenant Governor of the Province of Upper Canada, and Lieutenant General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada, &c., &c., &c., dated at York the 7th Day of August One thousand Eight Hundred, the meeting of the Legislative Council of the House of Assembly stands prorogued to the twentieth day of September next.

By a further Proclamation of His Excellency Peter Hunter Esquire, Lieutenant Governor of the Province of Upper Canada, and Lieutenant General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada &c., dated at York the thirteenth of September One Thousand Eight Hundred, the meeting of the Legislative Council and House of Assembly stands prorogued to the twenty seventh day of October One Thousand Eight Hundred.

By a further Proclamation of His Excellency Peter Hunter Esquire, Lieutenant Governor of the Province of Upper Canada, and Lieutenant General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada, &c., dated at York the twentieth of October One Thousand Eight Hundred, the meeting of the Legislative Council and House of Assembly stands prorogued to the third day of December One Thousand Eight Hundred.

By a further Proclamation of His Excellency Peter Hunter Esquire, Lieutenant Governor of the Province of Upper Canada, and Lieutenant General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada &c., dated at York the twenty ninth day of November One thousand eight hundred, the meeting of the Legislative Council and House of Assembly stands prorogued to the ninth day of January One thousand eight hundred and one.

By a further Proclamation of His Excellency Peter Hunter Esquire, Lieutenant Governor of the Province of Upper Canada, and Lieutenant General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada, &c. dated at York the third day of January One thousand eight hundred and one, the meeting of the Legislative Council and House of Assembly stands prorogued to the fourteenth day of February One thousand eight hundred and one.

By a further Proclamation of His Excellency Peter Hunter Esquire, Lieutenant Governor of the Province of Upper Canada, and Lieut. General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada, &c. dated at York the tenth day of February One thousand eight hundred and one, the meeting of the Legislative Council and House of Assembly stands prorogued to the twenty first day of March One thousand eight hundred and one.

By a further Proclamation of His Excellency Peter Hunter Esquire, Lieut. Governor of the Province of Upper Canada, and Lieutenant General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada &c., dated at York the fourteenth day of March One thousand eight hundred and one, The meeting of the Legislative Council and House of Assembly stands prorogued to the twenty ninth day of April One thousand eight hundred and one.

Peter Hunter Lieut. Governor.

PROCLAMATION.

GEORGE the Third, by the Grace of God of Great Britain, France and Ireland King, Defender of the Faith and so forth.

To all our loving subjects Greeting

Whereas by our Proclamation bearing date the fourteenth day of March last, we thought fit by and with the advice of our Executive Council to prorogue our Provincial Parliament until the twentyninth day of this present month of April, at which time in our Town of York you were held and constrained to appear; but we taking into our Royal consideration the ease and convenience of our loving subjects have thought fit by and with the advice of our Executive Council to relieve you and each of you of your attendance at the time aforesaid; hereby convoking and by these presents enjoining you and each of you that on the twenty eighth day of May next ensuing you meet us in our Provincial Parliament in our Town of York for the actual dispatch of Public Business there to take into consideration the state and welfare of our Province of Upper Canada, and therein to do as may seem necessary. Herein fail not. In testimony whereof we have caused these our Letters to be made patent, and the Great Seal of our Province to be hereunto affixed. Witness our trusty and Well beloved Peter Hunter Esquire, our Lieutenant Governor of our said Province, and Lieutenant General Commanding our Forces in the Provinces of Upper and Lower Canada, at York this twenty second day of April in the year of Our Lord One thousand eight hundred and one, and in the fortieth year of our Reign.

P. H.

William Jarvis, Sec'y.

PROCLAMATION.

GEORGE the Third, by the Grace of God of the United Kingdom of Great Britain and Ireland and King Defender of the Faith, &c. &c.

To our trusty and well beloved William Jarvis, John Small, and Donald McLean Esquires,

GREETING:—Whereas by a certain Act of Parliament passed in the thirty first year of our Reign entitled "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign entitled an Act for making more effectual provision for the Government of the said Province, it is among other things provided that no Member either of the Legislative Council or Assembly in either of the Provinces of Upper and Lower Canada shall be permitted to sit or vote therein until he shall have taken and subscribed the oath therein set forth, either before the Governor or Lieut. Governor of such Province or Person administering the Government therein, or before some person or persons authorized by the said Governor or Lieut. Governor or other person as aforesaid.

Now therefore know ye, that we have constituted and authorized and by these presents do constitute and authorize you the said William Jarvis, John Small and Donald McLean, Esquires, to administer the oath in the above mentioned Act of Parliament set forth unto the Members of the House of Assembly of our said Province of Upper Canada conformably to the form mentioned therein and provided.

Witness His Excellency's, Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada and Lieutenant General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada this twenty seventh day of May in the year of our Lord One Thousand eight hundred and One, and in the forty first year of His Majesty's Reign.

(Signed) Peter Hunter,
Lieut. Governor.

(Signed) W. Jarvis, Sec'y.

Office of Enrolments, Upper Canada, May 28th 1801.

RETURN OF MEMBERS.

Return of the names of the Members chosen to serve in the House of Assembly in the Provincial Parliament for this Province called to meet this day by virtue of Writs of Election issued by the order of His Excellency Peter Hunter, Esquire, Lieutenant Governor, bearing teste the ninth day of July last, as appears by the said Writs duly returned into this Office by the returning Officers of the several Counties and Ridings respectively as commanded.

Counties & Rdgs.	Ret'g. Offrs.	Representatives.
Glengarry and Prescott	Cornelius Munro	Alex'r Macdonell Angus Macdonell
Stormont and Russell	Jas. Anderson	Robt. I. D. Gray
Dundas	Cornelius Munro	Jacob Weager
Grenville	Thomas Fraser	Samuel Sherwood
Leeds	Jas. Brackenridge	William Buell
Frontenac	William Coffin	John Ferguson
Prince Edward	Arch. McDonell	Ebenezer Washburn
Lennox and Addington	Alex'r Fisher	Timothy Thompson
Hastings and Northumberland	Jno. Blecker	David M. Rogers
Durham, Simcoe & East Rd'g. York	Will'm Chewett	Henry Allcock

Counties & Rdgs.	Ret'g. Offrs.	Representatives.
West York, 1st R'dg. Lincoln & Haldimand	Abr'm Nelles	Robert Nelles Rich'd Beasley
2nd 3rd & 4th Riding Lincoln	Jas. Clark, Sen.	Ralph Clench Isaac Swayzie
Norfolk, Oxford & Middlesex	Thos. Welsh	Hon. D. W. Smith
Kent	Abraham Tredell	Thomas McCrae
Essex	Angus McIntosh	Matthew Elliott Thomas McKee.

To Donald McLean, Esq.,
Clerk of the House
of Assembly of the Province
of Upper Canada.

(Signed) William Jarvis,
Keeper of the Rolls.

HOUSE OF ASSEMBLY.

Upper Canada,
Thursday 28th. May 1801.

At the first session of the third Parliament of Upper Canada, begun and held in the Town of York on Thursday the twenty eighth day of May in the forty-first year of the Reign of Our Sovereign Lord George by the Grace of God of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith and so forth, and in the year of Our Lord one thousand eight hundred and one.

His Excellency the Lieutenant Governor having by the Proclamation hereunto annexed dated at York the seventh day of July 1800 dissolved the last Provincial Parliament, and by his Writs of Summons issued under the Great Seal of the Province bearing teste at York the ninth day of July 1800 called a new Provincial Parliament and appointed the same to meet and sit on the fourteenth day of August next ensuing, and having prorogued the same from time to time until this day, William Jarvis, John Small and Donald McLean, Esquires, Commissioners appointed by Dedimus Potestatem for administering the oath to the Members of the House of Assembly of the said Province of Upper Canada came about nine o'clock in the forenoon into the House of Assembly of the said Province, where William Jarvis, Esquire, Keeper of the Rolls, delivered to Donald McLean, Esquire, Clerk of the Assembly, a list, of the names of such Members as had been returned to serve in this Provincial Parliament, a copy whereof is hereunto annexed, the Commissioner did administer the oath appointed to the Members who appeared, which being done, and the Members having subscribed the Rolls containing the oath they repaired to their seats in the House accordingly.

After which a Message was delivered by Mr. George Law, Gentleman Usher of the Black Rod.

Gentlemen,

His Excellency the Lieutenant Governor commands the Members of this Honorable House to attend his Excellency immediately in the Legislative Council Chamber.

Accordingly the Members went up to attend His Excellency where being The Honorable the Speaker of the Legislative Council said:

Gentlemen of the House of Assembly,

I have it in command from His Excellency the Lieutenant Governor to signify to you that it is His Will and pleasure that you do return to the House to which you belong and there to elect one of your number to be Your Speaker, whom you shall present for the approbation of His Excellency at the Bar of this House to-morrow at twelve o'clock.

And the Members being returned Prayers were read.

David M. Rogers, Esq., Knight, representing the Counties of Northumberland and Hastings stood up, and addressing himself to the Clerk, who standing up pointed to him and then sat down, proposed to the House for their Speaker the Honorable D. W. Smith, Esquire, one of the Judges of the Court of King's Bench, Knight representing the Counties of Durham, Simcoe, and East Riding of York.

The House divided upon the question and the names were taken down as follows:

	YEAS.	NAYS.
MESSRS.	SAMUEL SHERWOOD	MR. SOL'R. GENERAL
	MATTHEW ELLIOTT	MR SHERIFF MACDONELL
	MR. JUSTICE ALLCOCK	RALPH CLENCH, ESQ.
	ROBERT NELLES	
	THOMAS McCRAE	
	ISAAC SWAYZIE	
	JACOB WEAGER	
	WILLIAM BUELL	
	RICHARD BEASLEY	
	DAVID M. ROGERS	

The Clerk having declared the Honorable D. W. Smith, Esquire, duly elected by a majority of seven, he was led to the Chair by Mr. Rogers and Mr. Justice Allcock. After the Speaker had been led to the Chair he addressed the House as follows:

Gentlemen of the House of Assembly:—

I feel much gratified for the honor you have conferred on me by replacing me in this Chair, and I shall strenuously endeavour to merit the continuance of your good opinion.

And thereupon he sat down in the Chair.

Then the Mace, which before laid under the Table, was laid upon the Table.

Isaac Swayzie, Esquire, addressing himself to Mr. Speaker elect, then moved that this House do adjourn till to-morrow morning at eleven o'clock.

And then the House adjourned till eleven o'clock to-morrow morning.

Friday 29th. May 1801.

Prayers were read.

The House being met, and Mr. Speaker having taken the Chair,

A Message was delivered by Mr. George Law, Usher of the Black Rod.

Mr. Speaker:—

It is His Excellency the Lieutenant Governor's pleasure that this Honorable House do immediately attend His Excellency in the Legislative Council Chamber.

Then Mr. Speaker elect with the House went up to the Council Chamber.

And then the Honorable, the Speaker of the Legislative Council, asked if they had chosen their Speaker.

Then the Honorable D. W. Smith, Esquire, was presented as their Speaker Elect.

Then the Honorable the Speaker of the Legislative Council said,

The Lieutenant Governor commands me to say that he is perfectly satisfied with the choice of the Assembly, and doth allow and confirm Mr. Smith to be its Speaker.

Then Mr. Speaker addressed himself as follows

May it please Your Excellency:—

The honor which the House of Assembly have conferred upon me in choosing me a second time as their Speaker is as great as the important duties of the Office are above my abilities

My zeal, however ardent, not sufficiently compensating for my incapacity I most respectfully implore the excuse and commands of Your Excellency.

I most humbly claim, in the name of the Assembly the freedom of speech and generally all the like privileges and liberties as are enjoyed by the Commons of Great Britain our Mother Country.

Then the Honorable the Speaker of the Legislative Council said:—

The Lieutenant Governor commands me to assure the Assembly that it may depend on the unlimited enjoyment of all its just privileges.

And then Mr. Speaker further claimed that the proceedings of the Representatives may receive the most favorable construction, and that whatever the Speaker shall say, which may be taken in evil part, may be imputed to his ignorance, and not unto the Assembly, that he may resort again to their House for declaration of their true intent, and that his error may be pardoned.

Then the Honorable the Speaker of the Legislative Council said:—

Mr. Speaker:—

The Lieutenant Governor directs me to assure the Assembly that he will always be disposed to put the most favorable construction on every proceeding and word, both of the House and its Speaker.

Then Mr. Speaker said that as often as necessary for His Majesty's service and the good of the Commonwealth shall require the House of Assembly may have access to the person of His Majesty's Representative in this Province.

Then the Honorable the Speaker of the Legislative Council said:—

Mr. Speaker:—

The Lieutenant Governor commands me to say that the Assembly may always depend on having access to his person at reasonable hours.

The House being returned the Speaker reported that the House had been in the Legislative Council Chamber, where his Excellency had been pleased to approve the choice the House had made of him to be their Speaker, and that he had in their name and on their behalf, by humble petition to His Excellency, laid claim to all their righteous privileges, that they may enjoy freedom of speech in their debates, and have access to His Excellency's person as occasion shall require, and that all their proceedings may receive from His Excellency the most favourable construction; which he said His Excellency had confirmed to them by granting and allowing their privileges in as ample a manner as ever they were granted and allowed.

Then Mr. Speaker did again return his humble thanks to the House for the very great honor they had now done him, and did assure them of a continuance of his fidelity in their service, humbly requesting their protection and assistance to him in the discharge of his great trust, and of their indulgence to him in the pardon of his failings and imperfections in it.

Mr. Speaker further reported that when the House attended His Excellency this day in the Legislative Council Chamber, His Excellency was pleased to make a Speech to the Houses of Provincial Parliament of which the Speaker said he had, to prevent mistakes, procured a copy, which he read to the House, and is as here followeth, videlicet.

Honorable Gentlemen of the Legislative Council and Gentlemen of the Assembly:—

The wisdom of those who framed the Constitution of this Province is in nothing more manifest than in the care which has been taken that the Legislature shall meet as frequently as it is probable that subjects worthy of its consideration will occur.

Two subjects call at this moment for your most serious attention.

The first is the formation of a plan for the improvement of our Revenue upon the basis of the agreement made by the Commissioners appointed by me under the authority of an Act of the last session to treat on the part of this Province with Commissioners on the part of Lower Canada. The terms of that agreement, copies of which I have directed to be laid before you, appear to be as consistent with the real interests of the two provinces, considered as branches of the Empire, as they are equitable between the Provinces themselves, and I trust that you will lose no time in digesting a plan equally convenient and effectual for carrying them into effect.

The other subject to which I wish to draw your attention is the offering such encouragement as you may think necessary or proper for the culture of hemp. The present circumstances render that article an object of the highest importance in Europe, and there can be no doubt that if the soil and climate of this Province are favorable to the growth of it it will amply reward every degree of labour and expense that may be bestowed on it. How far nature, which has been so bountiful to us in other respects, has favored us in this, you are better able to determine than I am; but I hope that nothing will be wanting on your part as nothing shall on mine, to secure to the province the source of wealth which the success of the experiment will open to it.

Gentlemen of the House of Assembly:—

I have directed the usual accounts to be laid before you,—you will regret with me that our expectations of an increase in our revenue from the articles which pass the Coteau du Lac have not been realized, and that the importation of some of those articles has considerably diminished. Whether this circumstance arises from a diminution in the consumption, or whether the demand for them be supplied through another channel, it is a subject that demands the most serious consideration, and I cannot help adding to it that the increase in our Internal Revenue seems to by no means keep pace with the increase in our numbers and the improvement of the country. To inquire into the same and suggest a remedy for the evil is equally worthy of the attention of the Legislature.

Hon. Gentlemen—and Gentlemen:—

It is with the sincerest pleasure that I announce to you an event of the utmost importance which has lately taken place in Europe. I mean the Union of the Kingdoms of Great Britain and Ireland. The British Nations are now entirely consolidated, and all that seemed wanting to make them all that they are capable of being is attained. Everything that was partial, everything that was local, everything that could recall the recollection that those whom nature intended to be one were distinct is done away, and the most intimate union is established on the justest and most liberal principles. Our strength is increased by being brought to a center. Our resources are enlarged by the unreserved communication of every advantage. Nor is it to be doubted that under the auspices of the August and enlightened Prince whose wisdom projected and whose perseverance has accomplished this great event, effects the most beneficial will soon be felt, which after diffusing wealth and power and happiness over the now United Kingdoms will gradually spread themselves through the remotest branches of the Empire.

Mr. Speaker Macdonell and David M. Rogers, Esquire, introduced Angus Macdonell, Esquire, Knight, one of the Representatives of the County of Glengarry and Prescott, John Ferguson, Esquire, Knight, Representative of the County of Frontenac, Timothy Thompson, Esquire, Knight, representative of the Counties of Lennox and Addington, and Ebenezer Washburn, Esquire, Knight, Representative of the County of Prince Edward, who having been certified to to the House of their having previously taken the oath required by the Statute, repaired to their seats in the House.

Mr. Sherwood, seconded by Mr. French, moved that a Committee be appointed to prepare an Address to His Excellency the Lieutenant Governor in answer to his Speech, which motion passed unanimously in the affirmative.

Mr. Rogers moved, seconded by Mr. Swayzie, for leave to bring up a petition from sundry Freeholders of the Counties of Durham. Simcoe, and East Riding of York, and leave was granted, and the same having been brought up was ordered to lie on the Table.

Mr. Sherwood moved, seconded by Mr. Angus Macdonell, that Messrs. Ferguson, Rogers, Beasley, Sheriff Macdonell and Clench be appointed a Committee to draw the Address in answer to His Excellency the Lieutenant Governor's Speech.

The question having thereon been put, was carried unanimously in the affirmative.

And then on motion of Mr. Beasley, seconded by Mr. Swayzie. the House adjourned.

Saturday 30th. May 1801.

Prayers were read.

Mr. Speaker submitted to the House that for the reasons which he had stated it might be proper to postpone the reading of the minutes of the journals of the proceedings of the two preceding days until Monday next.

And the House unanimously concurring with Mr. Speaker it was ordered accordingly.

On motion of Mr. Justice Allcock, seconded by Mr. Solicitor General, Ordered, That the Commission of Donald McLean, Esq., as Clerk of this House be now read for the information of the Members who have not been present at the former reading thereof. The same was accordingly produced and read in the following words.

Peter Hunter, Esquire, Lieutenant Governor of His Majesty's Province of Upper Canada, and Lieutenant General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada.

To all to whom these presents shall come,

Greeting,

Know ye that being well assured of the loyalty, prudence, and integrity of Donald McLean, Esq., of York, in the Home District, I have constituted and appointed, and do by these presents constitute and appoint him, the said Donald McLean, to be Clerk of the Commons House of Assembly of the said Province of Upper Canada. To have, hold and execute and enjoy the said office of the Clerk of the Commons House of Assembly aforesaid unto him the said Donald McLean during pleasure, together with all and singular the rights, profits, privileges and emoluments under the said office belonging.

Given under my hand and Seal at arms at
Quebec the twelfth day of March, in the year
of Our Lord One thousand eight hundred and one
and of His Majesty's Reign the forty first.

(Signed) P. Hunter,
Lieut. Gov.

By His Excellency's Command.

(Signed) William Jarvis, Secretary.

Mr. Ferguson, from the Committee appointed to draw up an Address of thanks to His Excellency the Lieutenant Governor for his Speech to both Houses on opening the present session, reported, That the Committee had prepared an Address which he was directed to submit to the House whenever it should be pleased to receive the same.

Ordered, That the Report be now received.

Which Report was accepted, and Mr. Speaker having read the said draught the House unanimously agreed thereto.

The said Address is as follows,

To His Excellency Peter Hunter, Esq., Lieutenant Governor of His Majesty's Province of Upper Canada, and Lieutenant General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada.

May it please Your Excellency:—

We His Majesty's dutiful and loyal subjects the Representatives of the Commons of Upper Canada in Parliament assembled, return our sincere thanks for Your Excellency's Speech.

We cease not to feel and shall embrace every opportunity of expressing our gratitude for that liberal sentiment of legislative policy manifested by the Mother Country on having provided us with the constitutional means of resorting annually to the wisdom of a Provincial Parliament.

We are happy to understand that the Commissioners on the part of our Sister Province (Lower Canada) have concurred with those appointed by Your Excellency in behalf of this Province in adjusting the dividends of the collective revenue to be applied to the uses of the two Provinces respectively upon principles of equity, being convinced that no system can derive permanent stability from any other source than natural justice. And we doubt not but that Provincial agreement entered into in the present instance will meet our approbation and support. At the same time we are happy to observe that our dependence on external markets diminishes as it evinces the general exertions made to supply our wants by our increasing manufactories at home.

We anticipate with eagerness the advantages which may result to this Province from the culture of hemp, and receive with gratitude the assurances of Your Excellency to promote the success of experiments to open a source of wealth to the Province by its means, and we hope that thereby a solid foundation will be laid without the aid of Parliament, which shall not be wanting on our part if ultimately necessary.

We shall bestow due attention upon the investigation of the Provincial Treasurer's Accounts when submitted to our consideration.

And we truly rejoice with Your Excellency in the happy issue of His Majesty's paternal endeavour for concentrating the energy of his Empire by the late Act of Union which has cemented into one his Kingdoms of Great Britain and Ireland.

On motion of Mr. Rogers, seconded by Mr. Swayzie,

Ordered, That the said Address be engrossed, and that Messrs. Clench, Ferguson and Thompson be a Committee to wait upon His Excellency the Lieutenant Governor to know when he will be pleased to receive this House with the same.

Mr. Rogers, seconded by Mr. Clench, moved That this House resolve itself into a Committee to inquire and report upon the usages of Parliament with respect to the appointment and removal of their officers.

And the question having thereon been put the same passed in the negative.

Mr. Rogers, seconded by Mr. Beasley, moved for leave to bring in a Bill on Friday next to alter the times of holding the District Courts, and the general Quarter Sessions of the Peace for the District of London, and begs leave to present the petition from the Magistrates and Grand Jury of that District relative thereto.

And leave was given accordingly.

Mr. Sherwood, seconded by Mr. Swayzie, moved for leave to bring in a Bill to extend the jurisdiction and regulate the proceedings of the District Court and Court of Requests.

And leave was granted.

Mr. Sherwood, seconded by Mr. Swayzie, moved for leave to bring in a Bill on Monday next to repeal an Act passed in the last sessions of the last Provincial Parliament, entitled "An Act for the summary conviction of persons selling spirituous liquors by retail without a license."

Leave was then granted.

Mr. Clench, seconded by Mr. Rogers, moved that the rule for clearing this House when required by a Member be discharged.

And then the question having been put thereupon, a division took place, and the names were taken down and are as follows:

YEAS	NAYS
Messrs. CLENCH	Capt. ELLIOTT
ROGERS	Messrs. THOMPSON
SWAYZIE	BUELL
FERGUSON	MR. SOL'R GENERAL
SHERWOOD	BEASLEY
	WEAGER
	SHERIFF MACDONELL
	Mr. MACDONELL
	WASHBURN
	Mr. JUSTICE ALLCOCK
	McCRAE.

And the same passed in the negative by a majority of seven.

Mr. Swayzie, seconded by Mr. Beasley, moved that this House do adjourn till Monday next, and the House adjourned accordingly.

Monday 1st June, 1801.

Prayers were read.

Mr. Clench reported that in obedience to the Order of the House the Messenger had waited upon His Excellency the Lieutenant Governor, to know his pleasure when he would receive this House with its Address and that His Excellency was pleased to appoint this day at eleven o'clock in the forenoon.

Mr. Speaker and the House went up at the hour appointed with the Address of this House to His Excellency the Lieutenant Governor, and being returned, Mr. Speaker reported that the House had attended His Excellency with their Address, to which His Excellency had been pleased to return the following answer.

Gentlemen,

Your readiness to promote such measures as I trust will prove equally advantageous to this Province and the Mother Country gives me the highest satisfaction.

I sincerely join with you in your congratulations on the happy union that is now established between the United Kingdoms of Great Britain and Ireland.

Mr. Rogers, seconded by Mr. Clench, moved for leave to bring in a Bill entitled " An Act to Repeal certain parts of an Act passed in the Fortieth year of His Majesty's Reign entitled "An Act for the more equal representation of the Commons of this Province in Parliament, and the better defining one qualification of electors' on to-morrow.

Leave was granted accordingly.

Mr. Speaker informed the House that application had been made to him by the Clerk as follows.

The Clerk of the House of Assembly has the honor of stating respectfully to Mr. Speaker, that the duties of his office require the means of preserving the papers and records of the Assemblies in such manner as may be most conducive to their security and proper arrangement, that boxes, desks, and tables, are articles of absolute and immediate necessity, and of which the office is at present wholly destitute.

Donald McLean,
Clerk of Assembly.

York, 1st June, 1801.

Which was ordered to lie on the Table.

And then Mr. Rogers moved, seconded by Mr. Clench,

That the Speaker of this House be requested to order all such articles as he shall judge necessary to be furnished to this House, and that the House will take measures to provide for payment of the same.

The same was ordered accordingly.

Agreeable to the Order of the Day the Petition of Samuel Heron, Archibald Cameron, Elisha Beman, and sundry other freeholders of the Counties of Durham, Simcoe, and East Riding of York, setting forth the illegality of the election and return of Henry Allcock, Esquire, as member to represent the said Counties and Riding, was read by the Clerk at the Table and is as follows:

To the Honorable the Representatives of the Commons of Upper Canada in Parliament assembled.

The Petition of the undersigned Freeholders of the East Riding of the Counties of York and Counties of Durham and Simcoe.

Humbly sheweth,

That Your Petitioners firmly attached to in all its parts the valuable constitution bestowed upon this Province by the Mother Country, sincerely lament the early necessity of complaining to your Honorable House against an infringement of it, meditated by a few individuals, and partly perfected by their artifices, immediately tending to destroy its first principle, Parliamentary Representation, by attempting to impose upon you as a Member of Your Honorable Body, and upon your Petitioners, as their Representatives therein, a gentleman of acknowledged respectability, but not chosen by Your Petitioners, nor by the majority of their fellow electors to represent them in Parliament.

That Your Petitioners humbly declare their readiness to prove to the satisfaction of Your Honorable House, or any Committee thereof, if heard by their Counsel on the subject, and permitted to give evidence thereof, that Henry Allcock, Esquire, has been improperly, untruly, and unjustly returned, as duly chosen to represent in Parliament the East Riding of the County of York and the Counties of Durham and Simcoe, and that the representation of the said Counties is at present altogether vacant.

Whereof Your Petitioners humbly pray to be heard in these premises and that the said Henry Allcock, Esquire, be not permitted to sit or vote as their representative, but that it may please Your Honorable House to order a new writ to issue for the return of a Member to represent the said Riding and Counties.

And as in duty bound your Petitioners will ever pray.

York, 1st May 1801.

And then Mr. Sherwood, seconded by Mr. Sheriff Macdonell, moved that this House resolve itself into a Committee to take into their consideration a rule proper to be adopted with regard to contested or disputed elections.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Capt. Elliott took the Chair.

Mr. Speaker resumed the Chair.

And Capt. Elliott reported that the Committee had made some progress, and had directed him to move for leave to sit again to-morrow.

Read the first time, a Bill entitled "An Act to repeal an Act passed in the Fortieth year of His Majesty's Reign entitled "An Act for the summary conviction of persons selling spirituous liquors without license."

Then, on Motion of Mr. Sherwood, seconded by Mr. Swayzie,

Ordered, That the said Bill be read a second time to-morrow.

On the motion of Mr. Rogers, seconded by Mr. Clench, the House adjourned.

Tuesday 2nd June 1801.

Prayers were read.

Mr. McCrae, seconded by Mr. Swayzie, moved for leave to bring in on Monday next a Bill to ascertain and establish the said lines of the lots in certain townships on the River Thames.

Leave was accordingly granted.

Mr. McCrea, seconded by Mr. Swayzie, moved for leave to bring in on Monday next a Bill to provide for the erecting of certain bridges in the County of Kent, Western District.

Then Leave was granted.

Mr. McCrea, seconded by Mr. Swayzie, moved for leave to bring in on Saturday next a Bill for dividing the Township of Sandwich into divisions and for the better regulation of the by-laws thereof.

And then leave was granted.

Mr. McCrea, seconded by Mr. Swayzie, moved for leave to bring in on Monday next a Bill for holding Courts of General Sessions of the Peace in the Town of Chatham, and for attending the sittings of the District Courts of that place also.

Whereupon leave was granted.

The Order of the Day for the second reading of the Bill entitled "An Act to repeal an Act passed in the fortieth year of His Majesty's Reign entitled "an Act for the summary conviction of persons selling spirituous liquors without license."

And the said Bill was read a second time.

On motion of Mr. Sherwood, seconded by Mr. A. Macdonell,

Resolved, That the House do now resolve itself into a Committee of the Whole upon the said Bill.

And the House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Washburn took the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Washburn reported that the Committee had gone through the said Bill and was ordered to report that it is the opinion of this Committee that the further consideration of this Bill be postponed for three months.

It was accordingly so ordered.

Mr. Secretary Jarvis attended this House by order of His Excellency the Lieutenant Governor, and presented sundry Public Accounts and papers, which were ordered to lie on the Table.

Read the first time, A Bill for the more equal representation of the Commons of this Province in Parliament, and for the better defining the qualification of Electors.

Ordered, That the said Bill be read a second time to-morrow.

The House pursuant to leave given again resolved itself into a Committee to resume the further consideration of a Rule proper to be adopted with regard to contested Elections.

Mr. Speaker left the Chair.

Capt. Elliott took the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Capt. Elliott reported that the Committee had made some progress and had directed him to ask for leave to sit again.

And then, on motion of Mr. Beasley, seconded by Mr. Swayzie, the House adjourned.

Wednesday 3rd June 1801.

Prayers were read.

Mr. Sheriff Macdonell, seconded by Mr. A. Macdonell, moved for the Order of the Day.

On which an Act to repeal certain parts of an Act passed in the fortieth year of His Majesty's Reign, entitled "An Act for the more equal representation of the Commons of this Province in Parliament and for the better defining the qualifications of Electors" was read a second time.

On the motion of Mr. Rogers, seconded by Mr. Clench, The House resolved itself into a Committee of the Whole upon the said Bill.

Mr. Speaker left the Chair.

Mr. Swayzie took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Swayzie reported that the Committee had gone through the consideration of the said Bill and had directed him to report that it was their opinion that the further consideration thereof be postponed for three months.

Mr. Rogers moved, seconded by Mr. Clench, that this House do not concur in the Report of the Committee.

Whereupon the House divided, and the names were taken down as follows.

YEAS

MESSRS ROGERS
BEASLEY
CLENCH
SWAYZIE

NAYS

MR. SHERIFF MACDONELL
MESSRS WASHBURN
FERGUSON
ELLIOTT
SOL'R GENERAL
McCRAE
NELLES
THOMPSON

So it was carried in the negative by a majority of five.

And the Report was accepted and ordered accordingly.

And then the House by leave given resolved itself into a Committee to take into their further consideration a proper rule to be adopted with regard to contested or disputed Elections.

Mr. Speaker left the Chair.

Capt. Elliott took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Capt. Elliott reported that it be a rule proper to be adopted with regard to contested or disputed Elections, that all petitions complaining of undue Elections be referred to a Committee of the Whole House.

Secondly, that it be another rule that the House do appoint the time for hearing the petitions and that the Speaker do give notice of the time to the parties.

Which Report was accepted.

Then, Mr. Rogers, moved, seconded by Mr. Clench, that next Wednesday be appointed to hear the Petition of the Freeholders of the East Riding of the County of York, and Counties of Durham and Simcoe.

It was accordingly so ordered.

The papers and accounts delivered yesterday to Mr. Speaker were read by the Clerk, and ordered to lie on the Table.

On the motion of Mr. Rogers, seconded by Mr. Clench,

Ordered, That Mr. Ferguson, Mr. Solicitor General, Mr. Sheriff Macdonell, Messrs. Thompson and Sherwood be a Committee to report the draught of a Bill for ratifying, approving, and confirming the Articles of Provisional Agreement entered into between the Commissioners on the part of this Province of Lower Canada, dated the second day of February one thousand eight hundred and one.

On the motion of Mr. Beasley, seconded by Mr. Sherwood, the House adjourned until Friday next.

Friday, 5th June 1801.

Prayers were read.

As was the Petition of several Inhabitants of the District of London, and is as follows.

To the Honorable the Legislative Council and Assembly of the Province of Upper Canada in Provincial Parliament assembled.

The Petition of the undersigned Inhabitants of the District of London in the said Province

Most Humbly Sheweth,

That Your Petitioners are much at a loss, and often suffer great inconvenience arising from the Court of the said District and the General Quarter Sessions of the Peace being holden at the same time with those of the other Districts from the want of professional men to assist them in those cases wherein their assistance is absolutely necessary.

Your Petitioners therefore most humbly pray that you would be pleased to enact that the times for holding the said Courts may be altered, and that at such a distance from the times of the others as may enable them to procure the assistance wanted, and that the said District Court may be put upon as liberal a footing as the nature thereof can possibly admit.

And Your Petitioners as in duty bound will ever pray.

Charlotteville, 14th April 1801.

The Order of the Day being read, Mr. Rogers brought in a Bill to alter the times of holding the District Courts and the General Quarter Sessions of the Peace for the District of London, which was read the first time.

And then, on the motion of Mr. Rogers, seconded by Mr. Clench,

Ordered, That the said Bill be read a second time to-morrow.

Mr. Speaker submitted to the consideration of the House an estimate of such articles as are immediately and absolutely wanted for the use of this House, pursuant to the resolve of this House on the first of June.

Which being read was ordered to lie upon the Table.

By order of His Excellency the Lieutenant Governor, Peter Russell, Esquire, Provincial Treasurer, transmitted his General Account Current to this House for the last year between the 7th June 1800 and the 27th May 1801 inclusive.

Which was read and ordered to lie upon the Table.

Mr. Sherwood, seconded by Mr. Swayzie, moved that an humble Address be presented to His Excellency the Lieutenant Governor that the proper officers may be directed to lay before the House an account of duties which may have arisen from Licenses to Innkeepers, Shopkeepers, and Distillers for the year 1800 and all such papers as may be necessary to explain the accounts.

Which was unanimously agreed to.

And then Mr. Angus Macdonell, seconded by Mr. Clench, moved for leave to bring in on Monday next a Bill to explain and amend certain parts of an Act passed in the Fifth year of the Reign of His late Majesty King George the Second, entitled "An Act for the more easy collection of debts in His Majesty's Colonies and Plantations in North America."

Leave was granted accordingly.

Mr. Swayzie, seconded by Mr. Washburn, moved that the House do now adjourn.

On the question being thereon put a division took place, and the names were taken down, and were as follows.

YEAS	NAYS
MR. SWAYZIE	MR. JUSTICE ALLCOCK
WASHBURN	SHERWOOD
CLENCH	MACDONELL
	FERGUSON
	SHERIFF MACDONELL
	ELLIOTT
	THOMPSON
	ROGERS
	SOLICITOR GENERAL
	NELLES
	BUELL
	McCRAE
	BEASLEY

The same passed in the negative by a majority of ten.

Then Mr. Ferguson moved that Mr. Clench, Mr. McCrae and Capt. Elliott be a Committee to prepare an Humble Address to His Excellency the Lieutenant Governor.

Which was ordered unanimously.

Then Mr. Clench, from the Committee, submitted to this House the draught of an Address to His Excellency the Lieutenant Governor, which being read was approved of, and is as follows.

To His Excellency Peter Hunter, Lieutenant Governor of the
Province of Upper Canada, and Lieut. General Commanding
His Majesty's Forces in Upper and Lower Canada.

We His Majesty's most dutiful and loyal subjects, the Commons of Upper Canada in Parliament assembled

Respectfully pray that Your Excellency will be pleased to direct that the proper officers be ordered to lay before this House an account of such duties as have arisen upon Licenses to Inkeepers, Shopkeepers and Distillers for the year one thousand eight hundred, with all such papers as may be useful and necessary for explaining the same.

(Signed) D. W. Smith,
Speaker.

And then on motion of Mr. Thompson, seconded by Mr. Ferguson,

Ordered, That Messrs. Rogers, Beasley and Clench do present the said Address to His Excellency the Lieutenant Governor.

And then on motion of Mr. Beasley, seconded by Mr. Swayzie,

The House adjourned.

Saturday 6th June 1801.

Prayers.

Mr. Washburn, seconded by Mr. Swayzie, moved that the Order of the Day for granting him leave to bring in a Bill on Saturday next, entitled "An Act to authorize the Lieutenant Governor or person administering the Government to appoint Inspectors of the produce that may be transferred out of this Province" this day be discharged, and leave given him to bring in the same on Tuesday next.

Leave was granted accordingly.

The Bill for the better division of the Township of Sandwich was read the first time.

Then Mr. Rogers reported that the Messengers had waited upon His Excellency the Lieutenant Governor, with the Address of this House of yesterday, and that His Excellency had been pleased to return for answer that he would comply with the wishes of the House.

Ordered, That the Bill to alter the times for holding the District Courts and the General Quarter Sessions of the Peace for the District of London be now read the second time.

And the said Bill was read the second time.

On motion of Mr. Rogers, seconded by Mr. Swayzie.

Resolved, That this House do now resolve itself into a Committee of the Whole House upon the said Bill.

Accordingly the House resolved itself into Committee.

Mr. Speaker left the Chair.

Mr. Swayzie took the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Swayzie reported that the Committee had made some progress, and had directed him to move for leave to sit again.

Resolved, That the said Committee have leave to sit again.

Mr. Justice Allcock, seconded by Mr. Swayzie, moved that this House do form itself into a Committee of the Whole House to consider whether any and what funds have by the laws of this Province been appropriated to the payment of the salaries of the Officers of the Legislative Council and Assembly, and the contingent expenses thereof.

And upon the question being put thereupon the House divided, and the names were taken down, and are as follows, videlicet.

Yeas.	Nays.
MR. JUSTICE ALLCOCK	MR. SOLICITOR GENERAL
MESSRS. A. MACDONELL	MESSRS. THOMPSON
ROGERS	CLENCH
SWAYZIE	SHERIFF MACDONELL
McCRAE	SHERWOOD
FERGUSON	NELLES
ELLIOTT	BUELL
WASHBUHN	

The same was carried in the affirmative by a majority of one.

Then the House resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. Washburn took the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Washburn left the Chair and reported, that it is the opinion of this Committee that the whole of the duties now arising from the licenses issued to Tavernkeepers, Shopkeepers and every other person whatsoever is by the law of this Province appropriated to the payment of the salaries of the Officers of the Legislative Council and Assembly, and the contingent expenses thereof.

Which Report was accepted.

On motion of Mr. McCrae, seconded by Mr. Swayzie, for leave to read the second time the Bill for the Township of Sandwich on Monday next,

Ordered, That the said Bill be read a second time on Monday next.

And then on motion of Mr. Clench, seconded by Mr. Rogers,

Ordered, That the names of the Members of this House be called over on Tuesday next.

On motion of Mr. Rogers, seconded by Mr. Swayzie, the House adjourned till Monday next.

Monday, 8th June, 1801.

Prayers were read.

Mr. McCrae, seconded by Mr. Swayzie, moved that the Order of the Day for granting him leave to bring in a Bill for holding Courts of General Sessions of the Peace in the Town of Chatham, and for extending the sitting of the District Court of that place, be discharged.

Ordered accordingly.

A Bill to provide for erecting certain bridges in the Western District was read the first time.

And on motion of Mr. McCrae, seconded by Mr. Beasley,

Ordered, That the said Bill be read a second time to-morrow.

And then a Bill for ascertaining the boundary lines on the River Thames was read a first time.

On motion of Mr. McCrae, seconded by Mr. Beasley,

Ordered, That the said Bill be read a second time to-morrow.

Then read the first time a Bill entitled "An Act for obviating a doubt which hath arisen concerning the remedies, process and proceedings established by law in this province against Houses, Lands, and other Hereditaments and Real Estates for the satisfaction of debts.

On the motion of Mr. Angus Macdonell, seconded by Mr. Sheriff Macdonell,

Ordered, That the said Bill be read a second time to-morrow.

According to the Order of the Day for the second reading of an Act for the better division of the Township of Sandwich.

The same was read a second time.

On motion of Mr. McCrae, seconded by Mr. Swayzie,

Resolved, That this House do now resolve itself into Committee of the Whole House upon the said Bill.

Thereupon the House resolved itself into Committee.

Mr. Speaker left the Chair.

Mr. Thompson took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Thompson reported progress, and asked for leave to sit again on Thursday next.

And leave was granted accordingly.

By Command of His Excellency the Lieutenant Governor Peter Russell, Esquire, Receiver General, delivered to this House an account of duties, licenses, &c. which were read and ordered to lie on the Table.

Mr. Ferguson, seconded by Mr. Weager, moved for leave to bring in on Thursday next a Bill to improve the Commission of the Peace for the Midland District in their Court of General Quarter Sessions assembled and to establish and regulate a market in and for the town of Kingston.

And leave was granted.

Mr. Sherwood, seconded by Mr. Rogers, moved for leave to bring in to-morrow a Bill to fix the times for holding the Courts of General Quarter Sessions and the District Courts in the District of Johnstown.

Leave was granted accordingly.

Mr. Sheriff Macdonell, seconded by Mr. McCrae, moved for leave to bring in to-morrow a Bill to regulate the Statute Labor to be done upon the roads in the tract occupied by the Huron Indians in the County of Essex, Western District.

And leave was granted accordingly.

On motion of Mr. Beasley, seconded by Mr. Swayzie,

The House adjourned.

Tuesday 9th June 1801.

Prayers were read.

Donald McLean, Esquire, one of the Commissioners appointed by Dedimus Potestatem to administer the Oath to the Members, informed Mr. Speaker that Thos. McKee, Esquire, Knight, one of the Representatives for the County of Essex. had taken the Oath prescribed by the Statute.

Mr. McKee was accordingly introduced by Mr. Sheriff Macdonell and Mr. Elliott, and took his seat in the House.

The Order of the Day for the call of the House being read.

Ordered, That the House be now called over.

And all the Members appeared.

Upon motion of Mr. Sherwood, seconded by Mr. Rogers,

Ordered, That the Order of the Day for bringing in a Bill to fix the times of Holding the Court of General Quarter Sessions in the District of Johnstown be discharged.

Ordered accordingly.

Mr. Washburn, seconded by Mr. Swayzie, moved that the Order of the Day for granting him leave to bring in a Bill this Day be discharged, and leave be given him to bring in the same on Thursday next.

Leave was accordingly granted.

A Bill to regulate the Statute Labour to be done upon the roads in the tract occupied by the Huron Indians, in the County of Essex, in the Western District, was read the first time.

And on motion of Mr. Sheriff Macdonell, seconded by Mr. Elliott,

Ordered that the said Bill be read a second time Thursday next.

A Bill to erect bridges in the Western District was read a second time.

On motion of Mr. McCrae, seconded by Mr. Ferguson,

The House resolved itself into a Committee on the said Bill

Mr. Speaker left the Chair.

Mr. Sherwood took the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Sherwood reported from the Committee that it is their opinion that the further consideration of the Bill before them be postponed for three months.

Which report was accepted and ordered accordingly.

Then, the River Thames Boundary Bill was read a second time.

On motion of Mr. Macdonell, seconded by Mr. Sheriff Macdonell, the second reading of a Bill for obviating a doubt which hath arisen concerning the remedies, process and proceedings established by law in this Province, against Houses, Lands, and other Hereditaments and Real Estates for the satisfaction of debts, was postponed till Saturday next.

And on motion of Mr. Swayzie, seconded by Mr. Nelles,

The House adjourned.

Wednesday 10th June 1801.

Prayers were read.

The House according to the Order of the Day took up the consideration of the Petition of sundry Freeholders of the East Riding of the County of York, and the Counties of Durham and Simcoe.

On which the Clerk by order read the same at the Table, and three other papers relative thereto which are as follows.

Before the Honorable the Commons of Upper Canada in Parliament met.

Samuel Heron and others, Complainants,

against

The Honorable Henry Allcock, Esquire,

Returned to represent in Parliament the East Riding of the County of York, and Counties of Durham and Simcose.

The Complainants pray that James McCauley, William Chewitt, William Jarvis, John Small and David Burns, Esquires, all of York, and Titus G. Simons and Thomas Ward of the same place, gentlemen, be commanded to attend at the Bar of this Honorable House on Wednesday next by the hour of ten o'clock in the forenoon, to testify the truth and render evidence in this controversy.

(Signed) A. McDONELL, Atty.
for Complainants of Council for the same.

York, 8th June, 1801.

To the Honorable
Mr. Speaker,
of the House of Assembly.

I do certify that I have examined the Petition of Samuel Heron and others now lying upon the Table of the Commons House of Assembly, and cannot find that the names of James McCauley, William Chewitt, William Jarvis, John Small, David Burns, Titus G. Simons and Thomas Ward are signed to the said Petition.

(Signed) DONALD McLEAN,
Clerk to the Assembly.

Commons House of Assembly,
Monday 8th June 1801.

To Thomas Ridout, Esquire, Serjeant at Arms, or his Deputy or Deputies.

These are to authorize and require that you do forthwith summon and command James McCauley, William Chewitt, William Jarvis, John Small, and David Burns, all of the Town and Township of York, in the Home District, Esquires, Titus G. Simons and Thomas Ward of the same place, Gentlemen, to be and appear in their own proper persons at the Bar of this House on Wednesday, the tenth day of this present month, by the hour of ten o'clock in the forenoon of the same day to testify the truth and render evidence of and concerning a controversy subsisting with respect to the election of the Honorable Henry Allcock, Esquire, returned to represent in Parliament the East Riding of the County of York, and the Counties of Durham and Simcoe and hereof fail not you, they, or any of them under the peril which may thereof ensue. And for so doing this shall be your sufficient warrant.

D. W. SMITH,
Speaker.

Which were ordered to lie on the Table for the perusal of the Committee of the Whole House.

Mr. Rogers, seconded by Mr. Sherwood, moved that this House do now resolve itself into a Committee to take into their consideration the Petition of the Freeholders of the East Riding of the County of York, and Counties of Durham and Simcoe.

The House then resolved itself into a Committee of the Whole House on the said Petition.

Mr. Speaker left the Chair.

Mr. Macdonell took the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Macdonell reported that it is the opinion of this Committee that resort ought to be had to the House whether the witnesses summoned to give evidence in this case ought or ought not to be sworn.

Resolved, on the motion of Mr. Sherwood, seconded by Mr. Clench, That it is the opinion of this House that the witnesses ought to be examined without being sworn.

And thereupon the House resolved itself again into Committee to resume the further consideration of the said Petition.

Mr. Speaker left the Chair.

Mr. Macdonell again took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell reported that it is the opinion of the Committee that resort be had to the House whether the testimony of persons petitioning against the return of any sitting Member be competent to give their evidence or not.

Mr. Sherwood, seconded by Mr. Clench, moved that it is the opinion of this House that the Petitioners are competent evidence.

And the House resolved the same.

And then the House resolved itself again into Committee to go further into the merits of the aforesaid Petition.

Mr. Speaker left the Chair.

Mr. Macdonell took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell reported that the Committee had made some progress and directed him to ask leave to sit again to-morrow.

And leave was accordingly granted.

On the motion of Mr. Clench, seconded by Mr. Sherwood,

Resolved unanimously, That the Honorable Mr. Justice Allcock be requested to bring forward to-morrow such witnesses as he may be desirous of producing in support of his Election.

And thereupon Mr. Speaker by order of this House communicated the said resolution to Mr. Justice Allcock in his place.

Mr. Rogers, seconded by Mr. Clench, moved for leave to bring in to-morrow a Bill for the better paying the Wages of the Members of the House of Assembly.

Leave was given accordingly.

And then on the motion of Mr. Beasley, seconded by Mr. Swayzie,

The House adjourned.

Thursday 11th June 1801.

Prayers were read.

Agreeable to the Order of the Day the House resolved itself into a Committee of the Whole House to take into their further consideration the merits of the Petition of several of the Freeholders of the East Riding of the County of York, and Counties of Durham and Simcoe.

Mr. Speaker left the Chair.

Mr. Macdonell took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell reported that resort be had to the House to determine upon a further mode of proceeding.

Which Report was accepted by this House.

Thereupon the House resolved itself again into Committee to resume the further consideration of the said Petition.

Mr. Speaker left the Chair.

Mr. Macdonell took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell reported that it is the opinion of the Committee that Henry Allcock, Esquire, is not duly elected.

Which Report was accepted and approved by this House.

Read for the first time, an Act for the better paying the Wages to Members of the House of Assembly.

On motion of Mr. Rogers, seconded by Mr. Clench,

Ordered, That the said Bill be read a second time to-morrow.

An Act to empower the Commissioners of the Peace for the Midland District in their Court of General Quarter Sessions assembled to establish and regulate a market in and for the Town of Kingston was read the first time.

Mr. Ferguson, seconded by Mr. Elliott, moved for leave to read the said Bill a second time on Saturday next.

And leave was accordingly given.

Agreeable to the Order of the Day.

Read for the first time, an Act to authorize the Governor, Lieutenant-Governor or person administering the Government, to appoint Inspectors of Flour, Pot and Pearl Ashes within this Province.

Mr. Washburn, seconded by Mr. Beasley, moved that the said Bill be read a second time to-morrow.

And the same was ordered accordingly.

Agreeable to the Order of the Day,

Read for the first time, an Act to authorize the Governor, Lieutenant Governor, or person administering the Government of this Province to appoint Inspectors of Flour, Pot and Pearl Ashes, within this Province.

Then the Bill to regulate the Statute labour to be done upon the roads in the tract occupied by the Huron Indians in the County of Essex, Western District, was read a second time.

On motion of Mr. Sheriff Macdonell, seconded by Capt. McKee,

Ordered, that this House do resolve itself into a Committee of the Whole House on the said Bill to-morrow.

The same was ordered accordingly.

Mr. Rogers, seconded by Mr. Clench, moved that the Speaker issue out a Warrant to the proper Officer for a Writ for a new election of a Member to serve for the East Riding of the County of York, and the Counties of Durham and Simcoe.

And the same was ordered accordingly.

Mr. Ferguson, seconded by Mr. McCrae, moved for leave to bring in on Tuesday next a Bill for laying the like duty on goods and merchandise brought into this Province from the United States of America as is now paid on goods and merchandise imported from Great Britain and other places.

And leave was granted accordingly.

On motion of Mr. Rogers, seconded by Mr. Sherwood,

The House adjourned.

Friday 12th June 1801.

Prayers were read.

Mr. Speaker informed the House that in obedience to the order of yesterday he had issued his Warrant to the Secretary of the Province for the issuing forth of a new Writ to return a Member for the East Riding of the County of York, and the Counties of Durham and Simcoe.

According to the Order of the Day the House resolved itself into Committee to take into consideration the Bill for keeping in repair the road which passes through the country occupied by the Huron Indians in the County of Essex.

Mr. Speaker left the Chair.

Mr. Ferguson took the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Ferguson reported that the Committee had gone through the consideration of the said Bill with amendments.

Which Report was accepted.

On motion of Mr. Sheriff Macdonell, seconded by Capt. McKee,

Ordered, That the said Bill as amended be engrossed, and read a third time on Monday next.

The Bill for the better paying Wages to the Members of the House of Assembly was read a second time.

Mr. Rogers moved, seconded by Mr. Clench, That this House do now resolve itself into Committee to consider of the said Bill.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Sheriff Macdonell took the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Sheriff Macdonell reported that the Committee had gone through the consideration of the said Bill with some amendments.

Which report was accepted.

On the motion of Rogers, seconded by Mr. Clench,

Ordered, That the said Bill be engrossed and read a third time to-morrow.

The Bill to authorize the Lieutenant Governor or person administering the Government to appoint Inspectors of Flour, Pot and Pearl Ashes was read a second time.

On the motion of Mr. Washburn, seconded by Mr. Clench,

Ordered, That the said Bill be committed, and that the House do resolve itself into Committee on Monday next to go into the consideration of the same. Mr. Sherwood, seconded by Mr. Clench, moved for leave to bring in to-morrow a Bill to fix the times for holding the Courts of General Quarter Sessions of the Peace in the Districts of London, Niagara and Johnstown.

And leave was given accordingly.

Mr. Swayzie, seconded by Mr. Beasley, moved for leave to bring in on Monday next a Bill to provide for the maintenance of poor persons.

And leave was given accordingly.

William Jarvis, Esq., Secretary of this Province, by order of His Excellency the Lieutenant Governor, presented at the Bar a return of the number of Shop and Tavern licenses as have been issued in the several Districts of this province, also a return of Still licenses issued for the year ending 5th April, 1801.

Mr. Speaker informed the House that application had been made to him in writing by the Clerk of the House, and read the same in the following words.

The Clerk of the House of Assembly has the honor of submitting to the Honorable the Speaker, that from the multiplicity of business now before the House he has an immediate occasion for a copying clerk, and will probably be sometimes compelled to employ more than one; he therefore prays that he may receive the permission and sanction of the House for that purpose.

(Signed) DONALD McLEAN,
Clerk of Assembly.

York, 12th June 1801.

After which Mr. Ferguson, seconded by Mr. Solicitor General, moved that the Clerk of this House has the permission and sanction of this House to employ a copying clerk, and that he be directed to give in an estimate for that purpose.

And thereupon the House divided, and the names were taken down as follows.

Yeas.	Nays.
CAPT. ELLIOTT	MESSRS. CLENCH
CAPT. McKEE	SWAYZIE
MESSRS. SOLICITOR GENERAL	
SHERIFF MACDONELL	
ROGERS	
MACDONELL	
FERGUSON	
McCRAE	
BEASLEY	
NELLES	
WEAGER	
WASHBURN	
BUELL	

The question was therefore carried in the affirmative by a majority of eleven.

And permission was granted accordingly.

Mr. Washburn, seconded by Mr. Swayzie, moved for leave to bring in on Monday next a Bill for the better explaining of certain parts of an Act passed in the thirty fourth year of His Majesty's Reign entitled "An Act to restrain the custom of permitting horned cattle, horses, sheep and pigs to run at large."

And leave was granted accordingly.

Mr. Washburn, seconded by Mr. Swayzie, moved for leave to bring in on Monday next a Bill to repeal so much of an Act passed in the thirty sixth year of His Majesty's Reign, as obliged all licensed Houses within this Province to pay an equal price for said license, and to make further provision for the same.

And the question having been thereupon put the same passed in the negative.

On motion of Mr. Nelles, seconded by Mr. Swayzie

The House adjourned.

Saturday 13th June 1801.

Prayers were read.

Agreeable to the Order of the Day was read a second time an Act to empower the Commissioners of the Peace for the Midland District, in their Court of General Sessions assembled, to establish and regulate a market in and for the town of Kingston.

On motion of Mr. Ferguson, seconded by Mr. Elliott.

Ordered, That this House do now resolve itself into Committee to consider the said Bill.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Clench was called to the Chair of the Committee.

On notice of the Black Rod being at the Door

Mr. Speaker resumed the Chair.

And Mr. Clench reported that the Committee had made a progress, and asked for leave to sit again this day.

Which Report was accepted, and leave was given accordingly.

A Message from the Honorable Legislative Council by Mr. Burns, Master in Chancery, to request the concurrence of this House in passing a Bill sent down for that purpose, entitled "An Act to enable Femmes Covert having real estate or interest in real estate more conveniently to aliene the same."

And then withdrew.

Which Bill was read the first time.

On motion of Mr. Solicitor General, seconded by Mr. Sherwood,

Ordered, That the said Bill be read a second time on Monday next.

And then Mr. Speaker left the Chair.

And Mr. Clench again took the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Clench reported that the Committee had gone through the consideration of the Bill to empower the Commissioners of the Peace to regulate a market in and for the town of Kingston with amendments.

Mr. Clench, seconded by Mr. Swayzie, moved that the said Report be not accepted.

Which motion was carried in the negative.

And then the Report was accordingly accepted.

On motion of Mr. Ferguson, seconded by Mr. Elliott, read a third time on Wednesday next.

A Bill entitled "An Act to fix the time for holding the Courts of General Quarter Sessions in the Districts of Niagara, London and Johnstown" was read the first time.

On motion of Mr. Sherwood, seconded by Mr. Swayzie,

Ordered, that the said Bill be read a second time on Monday next.

Agreeable to the Order of the Day was read a second time a Bill for obviating a doubt which hath arisen concerning the remedies, process and proceedings established by law in this Province against Houses, Lands, and other Hereditaments and Real Estates for the satisfaction of debts.

On motion of Mr. Macdonell, seconded by Mr. Swayzie.

Ordered, That this House do resolve itself into Committee on Wednesday next to take into their consideration the aforesaid Bill.

And it was ordered accordingly.

An engrossed Bill for the better paying the Wages of the Members of the House of Assembly was read for the third time.

Mr. Speaker put the question, shall this Bill pass,

And on motion of Mr. Sherwood, seconded by Mr. Swayzie,

Resolved, That this Bill do now pass, and that the title be "An Act for the better paying of the Wages of the Members of the House of Assembly."

Mr. Rogers moved, seconded by Mr. Ferguson, That Mr. Beasley, Mr. Sherwood, and Mr. Clench be a Committee to carry up this Bill to the Legislative Council and to request their concurrence therein.

Ordered accordingly.

Mr. Sherwood, seconded by Mr. Beasley, moved for leave to bring in on Monday next a Bill to extend the jurisdiction of the General District Courts throughout this Province.

And leave was accordingly given.

On motion of Mr. Rogers, seconded by Mr. Swayzie,

Ordered, That this House do now resolve itself into a Committee on the Bill to ascertain and establish the side lines of the lots in certain Townships on the River Thames.

Mr. Speaker left the Chair.

Mr. Beasley was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Beasley reported progress and asked for leave to sit again.

And leave was accordingly granted.

On motion of Capt. Elliott, seconded by Capt. Ferguson,

The House adjourned until Monday next.

Monday, 15th June 1801.

Prayers were read.

Mr. Swayzie moved, seconded by Mr. Clench, that the Order of the Day for leave to bring in a Bill to provide for the maintenance of poor persons be discharged, and leave given him to bring in the same on Thursday next.

And leave was granted accordingly.

The Order of the Day for the first reading of a Bill for the better explaining certain parts of an Act passed in the thirty fourth year of His Majesty's Reign, entitled "An Act to restrain the custom of permitting horned cattle, horses, sheep and swine to run at large" was discharged.

Read for the first time, an Act to extend the jurisdiction of the several District Courts throughout this Province, and to amend the same.

On motion of Mr. Sherwood, seconded by Mr. Clench,

Ordered, That the said Bill be read a second time to-morrow.

The Order of the Day for the House to resolve itself into a Committee of the whole House on the Bill authorizing the Governor, Lieutenant Governor, or person administering the government to appoint inspectors of flour, pot and pearl ashes within this Province.

The House resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. Solicitor General was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Solicitor General reported that the Committee had gone through the Bill, and had made some amendments thereto which he was directed to report.

And Mr. Speaker having put the question, shall the Report be now received, It was received unanimously.

On motion of Mr. Rogers, seconded by Mr. Washburn,

Ordered, That the said Bill be engrossed and read a third time to-morrow.

Read a second time, An Act to fix the times for holding the Courts of General Quarter Sessions in the Districts of Niagara, London and Johnstown.

On motion of Mr. Rogers,

Ordered, That the House do now resolve itself into a Committee to take into consideration the said Bill.

And the House resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. Ferguson was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Ferguson reported a progress, and asked for leave to sit again this day.

And leave was accordingly given.

The engrossed Bill to regulate the Statute Labour to be done upon the roads in the tract occupied by the Huron Indians in the County of Essex Western District was read for the third time.

And Mr. Speaker having put the question, shall the Bill pass,

The same passed accordingly, and was signed by Mr. Speaker.

And Ordered, That Mr. Rogers, Captains McKee and Elliott do carry up this Bill to the Legislative Council and request their concurrence.

Mr. Beasley, one of the Committee appointed to carry up to the Legislative Council the Bill for the payment of wages to the Members of the House of Assembly, reported that they had carried up the said Bill.

Mr. Speaker left the Chair.

And Mr. Ferguson again took the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Ferguson reported that the Committee had gone through the Bill and made some amendments thereto, which he was directed to report to the House whenever it would be pleased to receive the same.

Ordered, That the said Report be now received.

Mr. Rogers then moved, seconded by Mr. Sherwood, That the said Bill be engrossed and read a third time to-morrow, and that the title be "An Act to fix the times for holding the Courts of Quarter Sessions in the Districts of Niagara, London and Johnstown."

Read a second time, a Bill from the Legislative Council.

On motion of Mr. Solicitor General, seconded by Mr. Thompson,

The House resolved itself into Committee.

Mr. Speaker left the Chair.

And Mr. Nelles was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Nelles reported that the Committee had gone through the consideration of the said Bill without any amendments.

Ordered, That the said Bill be read a third time to-morrow.

The Clerk reported to the Honorable Mr. Speaker of this House in obedience to their order of the 12th instant, which report was read and ordered to lie upon the Table, and is in the following words,

The Clerk has the honor of informing the Honorable Speaker that in obedience to the order of the House of Assembly of the 12th. instant he has made it his business to inquire for copying clerks, and such as are to be had ask him seven shillings and sixpence to ten shillings currency per diem when employed.

(Signed) Donald McLean,
Clerk Ass'y.

York, 15th June 1801.

Capt. McKee moved, seconded by Mr. Rogers, for leave to bring in on Wednesday next a Bill to prevent the selling of spirituous liquors within the tract occupied by the Moravian Indians on the River Thames, called the township of Oxford, and to present a Petition relative thereto.

And leave was granted accordingly.

Mr. Sherwood moved, seconded by Mr. Clench, for leave to bring in to-morrow a Bill to alter the Practice of the Court of King's Bench.

And then leave was granted.

Mr. Swayzie moved, seconded by Mr. Sherwood, for leave to bring in on Wednesday next a Bill entitled "An Act respecting strays."

And leave was granted accordingly.

On motion of Mr. Rogers, seconded by Mr. Swayzie,

The House adjourned until eight o'clock to-morrow morning.

Tuesday, 16th June 1801.

Prayers were read.

Agreeable to the Order of the Day the Bill to enable Femmes Covert having real estate or interest in real estate more conveniently to aliene the same was read the third time.

Ordered, That the said Bill do pass, and the same was signed by Mr. Speaker.

Ordered, That Mr. Rogers, Capt. McKee, and Capt. Elliott do carry the same up to the Legislative Council, and inform them that the House has concurred therein without any amendment.

The Bill to fix the times for holding the Courts of General Quarter Sessions in the Districts of Niagara, London and Johnstown was read the third time as engrossed.

Ordered, That the said Bill do pass, and the same was accordingly signed by Mr. Speaker.

The engrossed Bill to authorize the Governor, Lieutenant Governor or person administering the Government of this Province to nominate and appoint Inspectors of flour, pot and pearl ashes within this Province was read the third time.

On the question being put by Mr. Speaker, shall this Bill pass,

The House divided, and the names were taken down as follows.

YEAS.	NAYS.
MR. FERGUSON	MR. BEASLEY
SHERIFF MACDONELL	NELLES
SHERWOOD	CLENCH and
ROGERS	SWAYZIE
WASHBURN	
CAPT. McKEE	
ELLIOTT	
WEAGER	

The question was carried in the affirmative by a majority of four.

Ordered therefore, That the said Bill do pass, and the same was accordingly signed by Mr. Speaker.

Ordered, That Mr. Rogers, Capt. McKee and Capt. Elliott do carry up the two Bills last passed to the Legislative Council and request their concurrence passing the same.

The Bill to alter the practice of the Court of King's Bench was read the first time.

The Bill to extend the jurisdiction of the several District Courts, throughout this province, and to amend the same, was read a second time.

On the motion of Mr. Sherwood, seconded by Mr. Clench,—that this House do now resolve itself into Committee to go into the consideration of the said Bill—

The House divided, and the question having been thereupon put the same passed in the negative.

And then Mr. Ferguson, seconded by Sheriff Macdonell, moved that this House do resolve itself into Committee to-morrow to take into consideration the said Bill.

And it was so ordered accordingly.

Read the first time, A Bill for laying the like duty on goods and merchandize brought into this Province from the United States of America as is now paid on goods and merchandize imported from Great Britain and other places.

On the motion of Mr. Ferguson, seconded by Mr. Clench,

Ordered, That the Committee appointed to draught a Bill for ratifying the Provisional Agreement between this Province and Lower Canada be directed to give in their Report to-morrow.

It was so ordered accordingly.

Mr. Rogers, seconded by Capt. McKee, moved for leave to bring in a Bill to-morrow for granting indulgences to the people called Quakers, Menonists and Tunkers on to-morrow.

And leave was granted.

And then on motion of Mr. Beasley, seconded by Mr. Swayzie,

The House adjourned.

Wednesday, 17th June 1801.

Prayers were read.

Mr. Rogers, first named to carry to the Honorable Legislative Council for their concurrence the Bill entitled "An Act to fix the times for holding the Courts of General Quarter Sessions in the Districts of Niagara, London and Johnstown" and a Bill entitled "An Act to authorize the Governor, Lieutenant Governor, or person administering the Government of this Province to nominate and appoint Inpectors of flour, pot and pearl ashes within this province" and to return the Bill sent down by them, entitled "An Act to enable Femmes Covert, having real estate, or interest in real estate, the more conveniently to aliene the same," to which this House have concurred without any amendments, reported that they had brought up the said Bills.

Read the first time, A Bill to prevent the sale of rum and other spirituous liquors among the Moravian Indians settled upon and along the River Thames.

Ordered, That the same be read a second time to-morrow.

On the motion of Mr. Swayzie, seconded by Mr. Beasley,

Ordered, That the order for granting leave to bring in a Bill to provide for the maintenance of poor persons be discharged.

Ordered accordingly.

A Bill for granting indulgences to the people called Quakers, Menonists, and Tunkers was read the first time.

Ordered, That the same be read a second time on Friday next.

The engrossed Bill to empower the Commissioners of the Peace for the Midland District in their Court of General Sessions assembled, to establish and regulate a market in and for the Town of Kingston was read a third time.

Whereupon Mr. Speaker having put the question shall this Bill pass the House divided, and the names were taken down as follows.

Yeas	Nays
MR. SHERIFF MACDONELL	MESSRS CLENCH
MESSRS ELLIOTT	SWAYZIE
SHERWOOD	
McKEE	
FERGUSON	
WEAGER	
THOMPSON	
McCRAE	
NELLES	

The question was therefore carried in the affirmative by a majority of seven, and then Mr. Speaker signed the said Bill.

Ordered, That Mr. Thompson, Mr. Ferguson and Mr. Washburn do carry up the same to the Legislative Council, and do request their concurrence in passing the same.

Mr. Thompson reported that they had carried up the said Bill to the Legislative Council.

A Message was received from the Legislative Council by Mr. Burns, Master in Chancery, and delivered in the following words.

Mr. Speaker,

The Honorable Legislative Council have passed a Bill entitled "An Act to continue an Act passed in the thirty seventh year of His Majesty's Reign, entitled "An Act for the better securing the Province against King's enemies," and request your concurrence therein.

And then withdrew.

Which Bill was read by order the first time, and ordered to be read the second time to-morrow.

Pursuant to the Order of the Day Mr. Speaker called for the Report of the Committee appointed to report the draught of a Bill to ratify, approve, and confirm the articles of Provisional Agreement entered into by and between the Commissioners on the part of this Province and the Commissioners on behalf of the Province of Lower Canada.

Upon which Mr. Ferguson moved, seconded by Mr. Clench, that so much of the Order of the Day as directs that the said Committee do report this day be discharged, and that further leave be given to the said Committee to report tomorrow.

Agreeable to the Order of the Day the House resolved itself into Committee to go into the consideration of the Bill to alter practice and extend the jurisdiction of the several District Courts throughout this Province.

Mr. Speaker left the Chair.

Mr. Weager was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Weager reported that the Committee had gone through the consideration of the said Bill and had agreed thereto with amendments.

And then Mr. Speaker put the question, shall this Report be now accepted.

Upon which Mr. Sheriff Macdonell seconded by Mr. Rogers moved that the Report be not accepted.

Whereupon the question having been put the same was carried in the affirmative.

Then Mr. Rogers, seconded by Mr. Sheriff Macdonell moved that this Bill be sent back to the Committee for their further consideration and Report.

And the House resolved itself again into Committee.

Mr. Speaker left the Chair.

Mr. Weager took the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Weager reported that the Committee had again taken up the consideration of the said Bill, and had agreed thereto with some further amendments.

Then Mr. Speaker again put the question, shall this Report be accepted, upon which a division took place, and the names were taken down as follows.

Yeas

Mr. SHERIFF MACDONELL
SWAYZIE
CLENCH
THOMPSON
SHERWOOD
SOLICITOR GENERAL
McKEE
McCRAE
WEAGER
BUELL

Nays

MR. WASHBURN
BEASLEY
NELLES
FERGUSON
ELLIOTT
ROGERS

The question therefore for accepting the said Report was carried in the affirmative by a majority of four.

The Speaker having informed the House that he had received notice from Mr. Angus Macdonell that he was prevented by indisposition from attending his duty in the House this day, and submittted the propriety of deferring the consideration of the Bill for obviating a doubt which has arisen concerning the remedies, process and proceedings established by law in this Province against Houses, Lands, and other Hereditaments and Real Estate for the satisfaction of debts, until Mr. Macdonell should attend in his place.

Ordered, That the Order for the House to resolve itself into Committee this day to take the said Bill into consideration be discharged, and that the same be taken into consideration by a Committee of the Whole House to-morrow.

It was ordered so accordingly.

The Bill to alter the Practice of the Court of King's Bench was read a second time.

On the motion of Mr. Sherwood, seconded by Mr. Clench,

Ordered, That the House do now resolve itself into Committee to consider of the same.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Buell was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Buell reported that the Committee had gone through the consideration of the said Bill and had agreed thereto without amendment.

Which report was accepted.

On the motion of Mr. Sherwood, seconded by Mr. Rogers,

Ordered, That the said Bill be engrossed and read the third time to-morrow.

Mr. Swayzie by leave brought up the Petition of Angus McDonell, Esq.

Which was ordered to lie upon the Table.

On the motion of Mr. Sherwood, seconded by Mr. Clench,

Ordered, That the Bill to alter the Practice and to extend the Jurisdiction of the several District Courts throughout this Province be engrossed and read a third time to-morrow.

It was ordered so accordingly.

Mr. Clench, seconded by Mr. Beasley, moved for leave to bring in on Saturday next a Bill to ascertain and declare which shall be deemed Public Highways and Roads in the District of Niagara, and West Riding of the County of York.

And leave was granted.

And then Mr. Clench, seconded by Mr. Beasley, moved for leave to bring in on Saturday next a Bill to render more effectual a certain Act passed in the thirty ninth year of His Majesty's Reign, entitled "An Act for the further regulation of the Militia."

And leave was accordingly given.

And then on motion of Mr. Clench, seconded by Mr. Swayzie.

The House adjourned.

Thursday, 18th June 1801.

Prayers were read.

According to the Order of the Day the engrossed Bill to alter the practice of the Court of King's Bench was read the third time.

Ordered, thereupon, That the said Bill do pass and the same was accordingly signed by Mr. Speaker.

Likewise read pursuant to the Order of the Day a third time the engrossed Bill to alter the practice and extend the jurisdiction of the several District Courts throughout this Province.

Which was also passed, and the same was signed by Mr. Speaker.

On the motion of Mr. Clench, seconded by Mr. Swayzie,

Ordered, That Mr. Solicitor General, Mr. Swayzie and Mr. Nelles do carry up the two Bills now passed to the Legislative Council, and request their concurrence.

Agreeable to the Order of the Day Mr. Ferguson, from the Committee appointed to report the draught of a Bill to ratify, approve and confirm the articles of Provisional Agreement entered into by and between the Commissioners on the part of this Province and the Commissioners on the part of the Province of Lower Canada, reported the draught of a Bill.

Which was read by the Clerk at the Table.

After which Mr. Speaker put the question, shall this Report be accepted.

Upon which Mr. Ferguson, seconded by Mr. Rogers, moved that this Report be not accepted.

Whereupon a division took place, and the names were taken down as follows.

Yeas

MR. FERGUSON
ROGERS
CLENCH
BEASLEY
NELLES
WEAGER
SWAYZIE
WASHBURN

Nays

MR. SHERIFF MACDONELL
CAPT. ELLIOTT
A. MACDONELL
SHERWOOD
SOL'R GENERAL
BUELL
THOMPSON
CAPT. McKEE
McCRAE

The question of Mr. Ferguson's motion passed in the negative by a majority of one, and the Report was accepted accordingly.

Ordered, That the said Bill be read a second time to-morrow.

The Bill entitled "An Act to continue an Act Passed in the thirty seventh year of His Majesty's Reign, entitled "An Act for the better securing the Province against the King's Enemies" was read a second time.

Mr. Solicitor General moved, seconded by Mr. Swayzie, that the House do now resolve itself into Committee to go into consideration of the said Bill.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Swayzie took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Swayzie reported that the Committee had gone through the consideration of the said Bill and had agreed thereto without any amendment.

Which report was accepted.

On motion of Mr. Solicitor General, seconded by Mr. Sherwood,

Ordered, That the said Bill be now read a third time.

It was read and passed accordingly, and Mr. Speaker signed the same.

On the motion of Mr. Rogers, seconded by Mr. Beasley,

Ordered, That Mr. Solicitor General, Mr. Sherwood and Mr. Angus Macdonell do carry up this Bill to the Legislative Council and inform that they have passed the same without any amendments.

According to the Order of the Day, the House resolved itself into Committee to take into their consideration the Bill entitled "An Act for obviating a doubt which had arisen concerning the remedies, process and proceedings established by law in this province against Houses, Lands, and other Hereditaments and Real Estate for the satisfaction of debts.

Mr. Speaker left the Chair.

Mr. McCrae took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. McCrae reported that the Committee had gone through the consideration of the said Bill and had agreed thereto without any amendment.

Which report was accepted.

Ordered, That the said Bill be engrossed, and read a third time to-morrow.

The Bill to prevent the sale of spirituous liquors and strong waters in the tract occupied by the Moravian Indians on the River Thames in the Western District was read the second time.

After which was read by the Clerk at the Table the Humble Petition of G. S. Oppell, C. T. Denkey, and Michel Young, Missionaries of the Episcopal Church among the said Tribe of Indians, which is as follows.

To His Excellency the Governor, The Honorable
Council and House of Representatives for the
Province of Upper Canada.

The following Humble Petition of the subscribers Indian Missionaries sent by the Episcopal Church of Unitas Fratrem or United Brethren (otherwise called Moravians living and residing at Fairfield, an Indian Moravian Town on the River Thames, in Upper Canada, in His Majesty's Dominions.,

Humbly Sheweth,

That said Missionaries whose names and handwritings are underwritten have no other intention whilst residing with the Indians than in the first place to introduce religion amongst them by acquainting them with their God and Creator, and to publish and preach to them the Divine and all saving word of God manifested and revealed to them. Their secondary object is that after they received and adhered to and are accordingly initiated as members into the Church to lead them on to a state of cultivation by keeping schools, teaching them to read, write, and cipher, and instructing them in agriculture etc.

This Petition likewise humbly sheweth, That said Missionaries labour hard under divers obstacles which seem contrary and destructive to their benevolent design, especially the frequent sale of spirituous liquors to Indians, which certainly ruins them totally. It has already happened that white people have fetched liquor within the boundaries of that tract of land which His Royal Majesty has graciously granted to the believing Indians, lying on the River Thames, called Oxford, N and S, and that thereby many of the Indians were brought to a state of intoxication.

Therefore the subscribers humbly pray that a Bill might be passed prohibiting intoxicating or pernicious liquor whatever to be brought either for sale or for bartering for produce upon and within the limits of the said tract of land graciously granted by His Majesty to the believing Indians, because of the detrimental consequences that accrue from it, which are quite opposite to the intention of the Church of United Brethren and its Missionaries.

The subscribers therefore most Humbly Pray that the proper means may be taken to prevent and avoid the distribution or giving out any intoxicating liquor, either in large or small quantities upon the said tract.

Fairfield, a Town
of Moravian Indians
on the River Thames, May 14th, 1801.

On the motion of Mr. Rogers, seconded by Capt. McKee,

The House resolved itself into Committee to take the said Bill into consideration.

Mr. Speaker left the Chair.

Mr. Sheriff Macdonell took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Sheriff Macdonell reported that the Committee had made some progress in the consideration of the said Bill, and had directed him to request leave to sit again this day.

And leave was granted accordingly.

A Message by Mr. Burns, Master in Chancery, was received from the Legislative Council, and delivered in the following words.

Mr. Speaker:—

I am commanded by the Honorable Legislative Council to inform this Honorable House that the Legislative Council have concurred in passing without any amendment a Bill to authorize the Governor, Lieutenant Governor, or person administering the Government to appoint Inspectors of Flour, Pot and Pearl ashes within this province.

And have also concurred in passing without any amendment another Bill entitled "An Act to regulate the Statute Labour to be done upon the tract occupied by the Huron Indians in the County of Essex, Western District.

And then withdrew.

After which the House again resolved itself into Committee to resume the consideration of the Bill to prevent the sale of spirituous liquors and strong waters in the tract occupied by the Moravian Indians on the River Thames in the Western District.

Mr. Speaker resumed the Chair.

Mr. Sheriff Macdonell reported that the Committee had gone through the consideration of the said Bill with amendments.

Which report was accepted.

Ordered, That the said Bill as amended be engrossed, and read a third time to-morrow.

Mr. Ferguson, seconded by Mr. Swayzie, moved for leave to bring on Saturday next a Bill entitled "An Act to prevent the selling of strong Liquors to the Indians of this Province, and also to prevent persons from buying their arms, ammunition, clothing and cooking utensils, given to them by His Majesty."

And leave was granted.

Mr. Washburn, seconded by Mr. Swayzie, moved for leave to bring in tomorrow a Bill entitled "An Act to repeal so much of an Act passed in the thirty third and fortieth years of His Majesty's Reign, entitled "An Act to regulate the laying out, amending and keeping in repair the Public Highways and Roads within this Province," so far as either of the above recited acts extend to the particular quantity of labour to be done on the highways by individuals, and to make further provision for the same.

Whereupon the question having been put, the House divided, and the same passed in the negative.

On the motion of Mr. Rogers, seconded by Mr. Clench,

The House adjourned.

Friday 19th June 1801.

Prayers were read.

Mr. Solicitor General, first named for the Committee appointed to carry up to the Legislative Council the Bill entitled "An Act to alter the practice of the Court of King's Bench," and the Bill to alter the Practice and extend the jurisdiction of the several District Courts throughout the province, and to request their concurrence in passing the same, and also to return to the said Legislative Council the Bill to continue an Act passed in the thirty seventh year of His Majesty's Reign, entitled "An Act for the better securing the Province against the King's enemies," and to inform them that the House had concurred therein without any amendments, reported that they had carried up the said Bills, to the Honorable Legislative Council.

Mr. Speaker prayed that the House do dispense this morning with the practice of going immediately into the Order of the Day, in order to give an opportunity to some of the Members to move that the Bill to fix the times of holding the Courts of General Quarter Sessions in the Districts of Niagara, London and Johnstown, be carried up to the Legislative Council.

It was so ordered.

On the motion of Mr. Rogers, seconded by Capt. McKee, Ordered, That Mr. Solicitor General, Messrs. Washburn and Buell do carry up the said Bill to the Legislative Council, and do request their concurrence in passing the same.

The engrossed Bill to prevent the sale of spirituous liquors and strong waters in the tract occupied by the Moravian Indians on the River Thames in the Western District, was read a third time.

Mr. Speaker having put the question shall this Bill pass, the same passed accordingly, and was signed by Mr. Speaker.

Ordered thereupon, That Mr. Solicitor General, Messrs Washburn and Buell do carry up the said Bill to the Legislative Council, and do request their concurrence.

The engrossed Bill for obviating a doubt which hath arisen concerning the remedies, process and proceedings established by law in this Province against Houses, Lands, and other Hereditaments and Real Estate, for the satisfaction of debts, was read a third time.

Ordered, That the said Bill do pass, and the same was signed accordingly by Mr. Speaker.

Ordered, That Mr. Solicitor General, Messrs. Washburn and Buell do carry up the said Bill to the Legislative Council, and do request their concurrence in passing the same.

The Bill for granting indulgences to the people called Quakers, Menonists and Tunkers was read a second time.

Mr. Rogers, seconded by Capt. McKee, moved that this House do now resolve itself into Committee to go into consideration of the said Bill.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

And Capt. McKee reported that the Committee had gone into the consideration of the said Bill, had made a progress therein, and directed him to request leave to sit again to-morrow.

And leave was given.

Mr. Solicitor General, first named from the Committee appointed to carry up the three Bills before mentioned to the Legislative Council, which were sent up this day for their concurrence, reported that they had carried up the same.

The Bill to ratify, approve and confirm certain Provisional Articles of agreement entered into by the respective Commissioners of this Province and of Lower Canada, dated at Quebec on the second day of February one thousand eight hundred and one, relative to duties and for carrying the same into effect and also to continue an Act passed in the thirty-seventh year of His Majesty's Reign, was read the second time.

On the motion of Mr. Solicitor General, seconded by Mr. Sheriff Macdonell,

Ordered, That the House do now resolve itself into Committee to go into the consideration of the said Bill.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Clench was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Clench reported that the Committee had made a progress in the consideration of the said Bill, and had directed him to request leave to sit again to-morrow.

And leave was granted accordingly.

Agreeable to order the Petition of Angus Macdonell, Esquire, was read by the Clerk at the Table, in the following words.

To the Honorable the Commons of Upper Canada in Parliament assembled the Petition of Angus Macdonell,

HUMBLY SHEWETH

That considerable arrears of salary and contingencies are due to Your Petitioner for his Services as Clerk of the Commons House of Assembly, the amount and particulars of which he is ready to state and substantiate at the Bar of Your Honorable House, or before any Committee thereof, when it may be the pleasure of Your Honors that the same be inquired into.

Wherefore Your Petitioner humbly prays Your Honors would be pleased to order inquiry will be made into his claim, and that the same be satisfied and he will as in duty bound pray, &c.

York 17th June 1801.

(Signed) A. Macdonell.

And then Mr. Rogers moved, seconded by Mr. Clench, that Mr. McDonell's Petition be referred to the Committee of the Whole House on Public Accounts.

And it was ordered so accordingly.

Mr. Washburn, seconded by Mr. Swayzie, moved for leave to bring in a Bill to repeal so much of an Act passed in the thirty third and fortieth years of His Majesty's Reign, entitled "An Act to regulate the laying out and keeping in repair the Public Highways and Roads within this Province, so far as either of the above recited acts extend to the particular quantity of labour to be done on the Highways by individuals, and to make further regulations for them on to-morrow.

On the question being put thereon a division took place, and the names were taken down, and are as follows:—

Yeas	Nays
MESSRS SWAYZIE	CAPT. ELLIOTT
THOMPSON	MESSRS SHERWOOD
CAPT. McKEE	A. MACDONALD
CLENCH	SHERIFF MACDONELL
ROGERS	BUELL
WEAGER	BEASLEY
McCRAE	SOL'R GEN'L
WASHBURN	
NELLES	
FERGUSON	

And the same was carried in the affirmative by a majority of three

And leave was accordingly given.

On the motion of Mr. Beasley, seconded by Mr. Rogers,

Ordered, That the House do now resolve itself into a Committee of the Whole House to take into their consideration the Public Accounts with power to send for such papers, and persons, as may be deemed necessary.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Thompson was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Thompson reported that the Committee had made a progress in the consideration of the Public Accounts, and had directed him to request leave to sit again to-morrow.

And leave was given accordingly.

On the motion of Mr. Beasley, seconded by Mr. Swayzie,

The House adjourned.

Saturday 20th June 1801.

Prayers were read.

Mr. Washburn, according to the Order of the Day presented a Bill to repeal so much of an Act passed in the thirty third and fortieth year of His Majesty's Reign, entitled "An Act to regulate the laying out and keeping in repair the Public Highways and Roads within this Province.

The same was received and read the first time.

Mr. Ferguson, seconded by Mr. Rogers, moved that the said Bill be read a second time on Monday next.

On the question being put thereupon a division took place, and the same was carried in the affirmative.

And it was ordered accordingly.

Then Mr. Ferguson, according to the Order of the Day, presented a Bill entitled "An Act to prevent the selling of strong liquors to the Indians in this Province, and also to prevent persons from buying their arms, ammunition, clothing, cooking utensils and provisions, given them by His Majesty."

And the same was received and read the first time.

And then on motion of Mr. Ferguson, seconded by Capt. Elliott,

The said Bill was ordered to be read a second time on Monday next.

According to the Order of the Day a Bill to ascertain and declare which shall be deemed Public Highways and Roads in the District of Niagara and West Riding of the County of York was read the first time.

And then on motion of Mr. Clench, seconded by Mr. Swayzie,

Ordered, That the said Bill be read a second time on Monday next.

Mr. Clench according to leave given, presented a Bill to render more effectual a certain act passed in the thirty ninth year of His Majesty's Reign, entitled "An Act for the further regulation of the Militia" which was received and read the first time.

Then Mr. Clench, seconded by Mr. Swayzie, moved that the said Bill be read a second time on Monday next.

And it was so ordered accordingly.

Agreeable to the Order of the Day, the House resolved itself into Committee for going further into the consideration of the Bill for granting indulgences to the people called the Quakers, Menonists, and Tunkers.

Mr. Speaker left the Chair.

Capt. McKee was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Capt. McKee was directed to ask for leave to report on Monday next.

And leave was accordingly granted.

Agreeable to the Order of the Day the House resolved itself into Committee to take up the further consideration of the Bill to ratify, approve, and confirm certain Provisional Articles of Agreement entered into by the respective Commissioners of this Province and of Lower Canada, dated at Quebec on the second day of February one thousand eight hundred and one relative to duties and for carrying the same into thirty seventh year of His Majesty's Reign.

Mr. Speaker left the Chair.

Mr. Rogers was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Rogers reported that the Committee had gone through the consideration of the Bill, and had made some amendments thereto, which he was directed to submit to the House, and he read the report in his place, and afterwards delivered the Bill with amendments.

Which Bill with the said amendments was accepted, and ordered to be engrossed and read a third time on Monday next.

On motion of Capt. Elliott, seconded by Mr. Sheriff Macdonell,

Ordered, That the order for the House to resolve itself into Committee this day on the Public Accounts be discharged, and that the same be taken into consideration on Monday next.

On motion of Mr. Beasley, seconded by Mr. Swayzie,

The House adjourned.

Monday 22nd June 1801.

Prayers were read.

Agreeable to the Order of the Day, Capt. McKee from the Committee to whom was referred the further consideration of the Bill for granting indulgences to the people called Quakers, Menonists and Tunkers reported that the Committee had gone through the consideration of the said Bill, and desired him to report the same with amendments.

Which report was accepted.

Mr. Rogers, seconded by Mr. Clench, then moved that the said Bill be engrossed and read the third time to-morrow.

It was ordered so accordingly.

Read a second time, the Bill to declare and establish certain Roads in the County of Lincoln and West Riding of York.

On motion of Mr. Rogers, seconded by Mr. Solicitor General,

The House resolved itself into Committee on the said Bill.

Mr. Speaker left the Chair.

Mr. McCrae reported that the Committee had gone through the consideration of the said Bill with amendments.

Which report was accepted.

Then Mr. Clench moved, seconded by Mr. Solicitor General, that the said Bill be engrossed, and read a third time to-morrow, and it was ordered accordingly.

And then Mr. Sherwood, seconded by Capt. Elliott, moved that so much of the Order of the Day be discharged as directs the second reading of the Road Bill introduced on Saturday, and that the second reading be postponed for three months.

The question being thereupon put, the House divided, and the same was carried in the affirmative and ordered accordingly.

Agreeable to the Order of the Day, read a second time the Bill entitled "An Act for the further regulation of the Militia of this Province."

On motion of Mr. Clench, seconded by Mr. Beasley,

The House resolved itself into Committee on the said Bill.

Mr. Speaker left the Chair.

Mr. Beasley was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Beasley reported the Bill with amendments.

Which Report was accepted.

And then on motion of Mr. Clench, seconded by Mr. Beasley,

Ordered, That the said Bill be engrossed and read a third time to-morrow.

Mr. Clench moved, seconded by Mr. Swayzie, That the Bill to ratify, approve, and confirm certain Provisional Articles of Agreement entered into by the respective Commissioners of this Province and of Lower Canada, dated at Quebec on the second day of February, one thousand eight hundred and one, relative duties and to carrying the same into effect, and also to continue an Act passed in the thirty-seventh year of His Majesty's Reign; that the two blanks after the word "Chaplain" be filled up with "fifty pounds" each, and the main blank for the total with the seven hundred and forty pounds.

It was ordered so accordingly.

Then the Bill was read a third time as engrossed, the same passed nem con and was signed by Mr. Speaker.

And then Mr. Clench, seconded by Mr. Swazey, moved that Mr. Sherwood, Sheriff Macdonell and Mr. Beasley do carry up the said Bill to the Honorable Legislative Council and request their concurrence.

Mr. Sherwood reported that the said Bill was carried up to the Honorable Legislative Council for their concurrence.

Read a second time, a Bill entitled "An Act to prevent the selling of strong liquors to the Indians in this Province, and also to prevent persons from buying their arms, ammunition, clothing, cooking utensils and provisions given them by His Majesty."

On motion of Mr. Ferguson, seconded by Capt. Elliott,

Ordered, That the said Bill be taken into Committee of the whole House on Wednesday next.

It was so ordered accordingly.

Agreeable to the order of the day the House resumed the further consideration of the Bill for the better division of the Township of Sandwich.

On motion of Mr. McCrae, seconded by Mr. Swayzie,

The House resolved itself into Committee upon the said Bill.

Mr. Speaker left the Chair.

Mr. Weager was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Weager reported that the Committee had gone through the consideration of the said Bill with amendments,

Which report was accepted.

And then, on motion of Mr. McCrae, seconded by Mr. Swazey,

Ordered, That the said Bill be engrossed and read a third time to-morrow.

On motion of Mr. Rogers, seconded by Mr. Beasley,

The House resolved itself into Committee upon the Bill for laying the light duty upon goods and merchandise brought into this Province from the United

States of America, as is now paid on goods and merchandise imported from Great Britain and other places.

Mr. Speaker left the Chair.

Mr. Macdonell was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Macdonell reported that the Committee had made some progress and had directed him to ask leave to sit again.

And leave was accordingly given.

Mr. Beasley moved, seconded by Mr. Swayzie, that the Order of the Day for the House to resolve itself into Committee on the Public Accounts be discharged, and that the same be resumed on Wednesday next.

It was so ordered accordingly.

Mr. McCrae moved, seconded by Mr. Swayzie, for leave to bring in on Wednesday next a Bill to authorize and empower the several Magistrates of the respective districts, by warrant to apprehend absconding debtors.

Leave was given.

On motion of Mr. McCrae, seconded by Mr. Swayzie,

The House adjourned.

Tuesday, 23rd June 1801.

Prayers were read.

According to the Order of the Day was read the third time the engrossed Bill for granting indulgences to the people called Quakers, Menonists, and Tunkers.

The same passed and was signed by Mr. Speaker.

The engrossed Bill for the better regulation of the Militia of this Province was read a third time.

And passed and was signed by Mr. Speaker.

Agreeable to the Order of the Day was read a third time the engrossed Bill for the better division of the Township of Sandwich.

Which passed and the same was signed by Mr. Speaker.

Mr. Nelles moved, seconded by Mr. Swayzie, that Messrs. Rogers, Clench and A. B. Macdonell do carry up the said Bill now passed to the Legislative Council and request their concurrence.

Ordered accordingly.

The House resolved itself into Committee to resume the further consideration of the Bill for laying the Light duty on goods and merchandise brought into this Province from the United States of America as is now paid on goods and merchandise imported from Great Britain and other places.

Mr. Speaker left the Chair.

Mr. Macdonell took the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Macdonell reported a further progress and asked for leave to sit again.

Leave was accordingly granted.

Mr. Rogers, first named to carry up to the Legislative Council the Bill entitled "An Act for granting indulgences to the people called Quakers, Menonists, and Tunkers," the Bill declaring and establishing certain roads in the County of Lincoln and West Riding of the County of York, as also the Bill for the better regulation of the Militia of this Province. and the Bill for the better division of the Township of Sandwich, reported that they had carried up the said Bills and requested their concurrence.

On motion of Mr. Clench, seconded by Mr. Rogers

The House adjourned.

Wednesday, 24th June 1801.

Prayers were read.

Mr. Nelles moved, seconded by Mr. Swayzie, That the Order for this Day be discharged and taken into consideration to-morrow.

It was ordered accordingly.

On motion of Mr. Swayzie, seconded by Mr. Nelles,

The House adjourned.

Thursday, 25th June, 1801.

Prayers were read.

Read the first time, A Bill to authorize and empower the several Magistrates of the respective Districts within this Province by warrant to apprehend absconding debtors.

Mr. McCrae moved, seconded by Mr. Nelles, That the said Bill be read a second time to-morrow.

Ordered accordingly.

Mr. Beasley, seconded by Mr. Nelles, moved that this House do now resolve itself into Committee on the Public Accounts.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Thompson was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Thompson reported a progress, and asked for leave to sit again this day.

And leave was granted.

A Message from the Honorable Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker

The Honorable Legislative Council have passed the Bills entitled "An Act to empower the Commissioners of the Peace for the Midland District in their Courts of General Quarter Sessions assembled to establish and regulate a market in and for the Town of Kingston in the said District," with some amendments, to which amendments they desire the concurrence of the House of Assembly.

Also a Bill entitled "An Act to alter the times of holding the District Court and the General Quarter Sessions of the Peace for the Districts of Niagara, Johnstown and London," with some amendments, to which amendments they desire the concurrence of the House of Assembly.

And a Bill entitled "An Act to prevent the sale of spirituous liquors and strong waters in the tract occupied by the Moravian Indians on the River Thames in the Western District," with some amendments, to which amendments they desire the concurrence of the House of Assembly.

And then withdrew.

The amendments to the several Bills were read agreeable to order by the Clerk at the Table.

Mr. Speaker left the Chair.

Mr. Thompson again took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Thompson reported a progress, and was directed to ask for leave to sit again this day.

And leave was granted.

A Message from the Honorable Legislative Council by Mr. Burns, Master in Chancery,

Mr. Speaker,

The Honorable Legislative Council have passed the Bill entitled "An Act to ratify and confirm certain provisional Articles of Agreement entered into by the respective Commissioners of this Province and of Lower Canada, dated at Quebec on the second day of February, one thousand eight hundred and one, relative to the duties and for carrying the same into effect, and also to continue an Act passed in the thirty-seventh year of His Majesty's Reign; with some amendments, to which amendments they desire the concurrence of the House of Assembly.

And then Withdrew.

Mr. Speaker put the question: Shall the Amendments sent down by the Honorable Legislative Council to the Bill entitled "An Act to ratify, approve and confirm certain Provisional Articles of agreement entered into between this Province and the Province of Lower Canada be now read.

Upon which Mr. Rogers, seconded by Mr. Clench, moved that the amendments sent down by the Honorable Legislative Council to the said Bill be read in three months.

And it was ordered so accordingly.

Mr. Speaker left the Chair.

Mr. Thompson took the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Thompson reported a progress and asked for leave to sit again.

And leave was granted.

On motion of Mr. Rogers, seconded by Mr. Clench,

Ordered, That the House do now resolve itself into Committee on the Bill as amended by the Honorable Legislative Council for regulating the sittings of the Courts in the Districts of Niagara, London and Johnstown.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Nelles was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Nelles reported that the Committee had gone into the consideration of the said amendments and recommended to have a conference with the Legislative Council on the said amendments made by them to the Bill entitled "An Act to alter the times of holding the District Courts and the General Quarter Sessions of the Peace for the Districts of Niagara, London and Johnstown.

Which report was accepted, and ordered accordingly.

Mr. Rogers moved, seconded by Mr. Clench, that Mr. Beasley and Mr. McCrae do wait upon the Legislative Council and request a conference on the amendments to the said Bill.

It was so ordered accordingly.

Mr. Beasley reported that they did request a conference.

The House resolved itself into Committee on the amendments made by the Legislative Council to the Bill entitled " An Act to prevent the sale of spirituous liquors and strong waters on the tract occupied by the Moravian Indians on the River Thames."

Mr. Speaker left the Chair.

Mr. Beasley took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Beasley reported a progress, and asked for leave to sit again this day.

And leave was granted accordingly.

A Message from the Honorable Legislative Council by Mr. Burns, Master in Chancery,

Mr. Speaker,

I am directed to inform the House of Assembly that the Honorable Legislative Council have acceded to your request by message, and have appointed a Committee of three Members to meet a Committee of the House of Assembly upon the subject of the amendments made to a Bill to fix the time of holding the Courts of General Quarter Sessions in the Districts of Niagara, London and Johnstown, which conference is appointed to be held in the Legislative Council Chamber at the rising of this House to-day.

And then withdrew.

Mr. Beasley, seconded by Mr. Swayzie, moved that Messrs. Sherwood, Rogers and Clench be a Committee to confer with the Committee of the Legislative Council on the amendments to a Bill entitled " An Act to alter the times of holding the District Courts and General Quarter Sessions of the Peace for the Districts of Niagara, Johnstown and London.

It was ordered accordingly.

Then Mr. Speaker left the Chair.

Mr. Beasley took the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Beasley reported that the Committee had gone into the consideration of the said amendments and recommended to have a conference with the Legislative Council on the amendments made by them to the Bill entitled " An Act to prevent the sale of spirituous liquors and strong waters in the tract occupied by the Moravian Indians on the River Thames in the Western District.

Which report was accepted.

Agreeable to the Order of the Day, the House resolved itself into Committee on the Bill entitled " An Act to prevent the selling of strong liquors to the Indians in this Province, and also to prevent persons from buying their arms, ammunition, clothing, cooking utensils and provisions given to them by His Majesty, and also to repeal an ordinance of the heretofore Province of Quebec, passed in the seventeenth year of His Majesty's Reign, entitled " An ordinance to prevent the selling of strong liquors to the Indians in the Province of Quebec " as also to prevent persons from buying their arms or clothing, and for other purposes relative to the trade and intercourse with the said Indians."

Mr. Speaker left the Chair.

Mr. Swayzie was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Swayzie reported a progress, and was directed to ask leave to sit again.

And leave was granted accordingly.

Mr. Ferguson moved, seconded by Capt. Elliott, that the Bill entitled "An Act to empower the Commissioners of the Peace for the Midland District in their Court of General Quarter Sessions assembled to establish and regulate a market in and for the Town of Kingston in the said District," do pass as amended by the Honorable Legislative Council.

And the said Bill passed and was signed by Mr. Speaker.

Mr. Sherwood, from the Committee of conference with the Legislative Council on the Bill for fixing the times for holding the Courts of General Quarter Sessions of the Peace for the Districts of Niagara, Johnstown and London reported that they had met the Committee of the Honorable Legislative Council on the amendments made by the Honorable Legislative Council to the said Bill.

On motion of Mr. Sheriff Macdonell, seconded by Capt. Elliott, that the Rule of not receiving Bills on the same day moved for be discharged on this day.

It was so ordered accordingly.

And then Mr. Sheriff Macdonell moved, seconded by Capt. Elliott, for leave now to bring in a Bill entitled "An Act to provide more ample means for the recovery of debts."

And leave was granted.

Mr. Sheriff Macdonell, seconded by Capt. Elliott, moved that the said Bill be now read for the first time.

It was accordingly read the first time.

On motion Mr. Sheriff Macdonell, seconded by Mr. Swayzie,

Ordered, That the said Bill, be read a second time to-morrow.

It was ordered so accordingly.

On motion of Mr. Nelles, seconded by Mr. Swayzie,

The House adjourned.

Friday, 26th June 1801.

Prayers were read.

Agreeable to the Order of the Day was read a second time a Bill to authorize and empower the several Magistrates of the respective Districts within this Province by warrant to apprehend absconding debtors.

Mr. Rogers, seconded by Mr. Swayzie moved, that Mr. Thompson and Capt. McKee do wait upon the Honorable Legislative Council, and inform them that this House have concurred in the amendments made to a Bill entitled "An Act to empower the Commissioners of the Peace for the Midland District in their Court of General Quarter Sessions assembled to establish and regulate a market in and for the Town of Kingston in the said District." And to request a conference on the amendments made by the Honorable Legislative Council to a Bill entitled "An Act to prevent the sale of spirituous liquors or strong waters in the Tract occupied by the Moravian Indians on the River Thames in the Western District.

And then Mr. McCrae moved, seconded by Mr. Swayzie, that this House do now resolve itself into Committee on the Bill to authorize a Magistrate to grant a Warrant to apprehend an absconding debtor.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Washburn was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Washburn reported a progress and asked for leave to sit again this day.

And leave was accordingly granted.

A Message from the Honorable Legislative Council by Mr. Burns, Master in Chancery,

Mr. Speaker,

I am directed by the Honorable Legislative Council to request that the House of Assembly do appoint a Committee to meet a Committee of the Legislative Council for the purpose of having a further conference on the subject of a Bill to fix the time for holding the Courts of General Quarter Sessions in the District of Niagara, London and Johnstown. I am also directed to inform this House that the Honorable the Legislative Council have acceded to their message of this day, and have agreeable thereto appointed a Committee to meet in conference upon the amendments made to a Bill to prevent the sale of spirituous liquors and strong waters in the Tract occupied by the Moravian Indians on the River Thames in the Western District, and that the said Committee do meet at the rising of the Legislative Council to-day.

And then withdrew.

Mr. Rogers moved, seconded by Mr. Swayzie, That Messrs. McCrae, Ferguson, McKee, Elliott and Sheriff Macdonell be a Committee to confer with the Committee of the Honorable Legislative Council on the amendments made to an Act to prevent the sale of spirituous liquors and strong waters in the Tract occupied by the Moravian Indians on the River Thames in the Western District.

Mr. Speaker left the Chair.

Mr. Washburn again took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Washburn reported a progress and asked for leave to sit again this day.

Leave was granted.

A Message from the Honorable Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

The Honorable Legislative Council have passed the Bill for the further regulation of the Militia of this Province with some amendments, to which amendments they desire the concurrence of the House of Assembly.

And then withdrew.

Mr. Speaker left the Chair.

Mr. Washburn again took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Washburn reported a progress, and was directed to ask leave to sit again this day.

And leave was granted.

Mr. Sheriff Macdonell, seconded by Mr. Macdonell, moved that Messrs. Sherwood, Swayzie and Beasley be a Committee to have a further conference with a Committee of the Honorable Legislative Council on the amendments made to a Bill to fix the times of holding the General Quarter Sessions of the Peace for the Districts of London, Johnstown and Niagara.

Mr. Speaker left the Chair.

Mr. Washburn took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Washburn reported progress, and was directed to ask leave to sit again.

And leave was granted.

On motion of Mr. Rogers, seconded by Mr. Nelles,

Ordered, That the Order of the Day be postponed for this day.

It was ordered accordingly.

On motion of Mr. Rogers, seconded by Mr. Nelles,

The House adjourned.

Saturday 27th June 1801.

Prayers were read.

Mr. Clench, seconded by Mr. Swayzie, moved that the House do now resolve itself into Committee to take into their consideration the amendments made by the Honorable Legislative Council to a Bill entitled "An Act for the further regulation of the Militia of this Province."

The House resolved itself into Committee accordingly.

The Speaker left the Chair.

Mr. Weager was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Weager reported that the Committee had gone through the consideration of the said Bill as amended by the Honorable Legislative Council and approved the same.

And then Mr. Clench moved, seconded by Mr. Swayzie, that the Bill entitled "An Act for the further regulation of the Militia of this Province" as amended by the Honorable Legislative Council do now pass.

It was ordered accordingly, and Mr. Speaker signed the same.

Mr. Sheriff Macdonell, seconded by Mr. Clench, moved that the Bill entitled "An Act to provide more ample means for the recovery of debts be now read a second time.

Upon which a division took place, and the same passed in the negative.

And Mr. Rogers moved, seconded by Mr. Sherwood, that the Bill entitled "An Act to provide more ample means for the recovery of debts be read a second time this day three months.

It was so ordered accordingly.

Mr. Rogers, seconded by Mr. Weager, moved that Messrs. Sheriff Macdonell and Eliott do wait upon the Honorable Legislative Council and inform them that this House have concurred in the amendments made to a Bill for the further regulation of the Militia of this Province.

Mr. Ferguson, seconded by Mr. Swayzie, moved that the House do now resolve itself into a Committee to take into their further consideration an Act to empower the Magistrates to hold to bail absconding debtors.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Washburn was called to the Chair of the Committe.

Mr. Speaker resumed the Chair.

Mr. Washburn reported a progress and asked leave to sit again this day.

A Message from the Honorable Legislative Council by Mr. Burns Master in Chancery,

Mr. Speaker,

I am directed to inform the House of Assembly that the Honorable Legislative Council withdraws all its amendments to the Bill entitled "An Act to prevent the sale of spirituous liquors and strong waters in the Tract occupied by the Moravian Indians on the River Thames in the Western District, except the amendment imposing to substitute the word "barter" for the word "vend."

And then withdrew.

Mr. Sheriff Macdonell, seconded by Capt. Elliott, moved that the Bill entitled "An Act to prevent the sale of spirituous liquors and strong waters on the Tract occupied by the Moravian Indians on the River Thames in the Western District" pass as amended by the Honorable Legislative Council.

The same passed and was signed by Mr. Speaker.

Mr. Speaker left the Chair.

Mr. Washburn again took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Washburn reported that the Bill entitled "An Act to authorize Magistrates to grant a Warrant to apprehend an Absconding Debtor" do pass as amended.

Which Report was accepted and ordered accordingly.

Mr. Solicitor General, seconded by Mr. Ferguson, moved that the title be "An Act for the more easy apprehending absconding debtors, and to repeal certain parts of an Act passed in the Parliament of Great Britain in the twelfth year of the Reign of His Majesty King George the First, entitled "An Act to prevent frivolous and vexatious arrests," and that the Bill be engrossed and read a third time on Monday next.

On which a division took place, and the same was carried in the affirmative.

And it was ordered accordingly.

Mr. Sheriff Macdonell and Capt. Elliott reported that they had waited upon the Honorable Legislative Council and informed that the House concurred in the amendments made by them to the Bill for the further regulation of the Militia of this Province.

Mr. Sherwood moved, seconded by Capt. Elliott. for leave to bring in now a Bill to fix the times of holding the Courts of General Quarters Session of the Peace, in the several Districts in this Province.

And leave was granted.

Mr. McCrae moved, seconded by Mr. Swayzie, that the said Bill be now read the first time.

It was read the first time accordingly.

Then Mr. McCrae moved, seconded by Mr. Weager, that the Bill to fix the times of holding the Courts of General Quarter Sessions of the Peace in the several Districts in this Province be now read the second time. It was ordered accordingly.

And the Bill was read the second time.

Mr. Rogers moved, seconded by Mr. Clench, that the House do now resolve itself into Committee of the Peace in the several Districts in this Province.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Beasley took the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Beasley reported that the Committee had gone through the consideration of the said Bill without any amendments.

Which report was accepted.

On motion of Mr. Clench, seconded by Mr. Sherwood,

Ordered, that the said Bill be now read a third time.

Ordered acordingly.

And the said Bill was read a third time, which passed and was signed by Mr. Speaker.

Mr. Rogers, seconded by Mr. Clench, moved that Mr. Sherwood and Mr. Sheriff Macdonell do carry up this Bill to the Honorable Legislative Council and request their concurrence.

It was ordered accordingly.

And then, on motion of Mr. Rogers, seconded by Mr. Clench,

The House resolved itself into Committee on the Public Accounts.

Mr. Speaker left the Chair.

Mr. Beasley took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Beasley reported that the Committee had made a progress, and asked leave to sit again.

And leave was granted.

On motion of Mr. Beasley, seconded by Mr. Sherwood, on Monday forenoon.

And then the House adjourned till Monday next.

Monday, 29th June 1801.

Prayers were read.

Mr. Thompson moved, seconded by Mr. A. Macdonell, that so much of the usage of this House be dispensed with as requires a previous notice of bringing in a Bill, and that leave be now given to bring in a Bill to ratify the Provisional Agreement with Lower Canada.

On which a division took place, and the names were taken down as follows:—

YEAS.	NAYS.
MESSRS. SOLICITOR GENERAL	MESSRS. BEASLEY
THOMPSON	ROGERS
SHERWOOD	WEAGER
CAPT. ELLIOTT	FERGUSON
SHERIFF MACDONELL	NELLES &
BUELL	CLENCH
WASHBURN	
CAPT. McKEE	
McCRAE &	
MACDONELL	

The same was carried in the affirmative by a majority of four, and leave was granted and the said Bill was read the first time.

Mr. Ferguson moved, seconded by Mr. Clench, That this Bill be read a second time on Wednesday next.

Which was carried in the negative.

And then Mr. Rogers, seconded by Mr. Clench, moved that the Bill be read a second time this day three months.

And the question being thereupon put, the House divided and the names were taken down as follows:—

YEAS.

MESSRS. BEASLEY
ROGERS
WEAGER
FERGUSON
NELLES &
CLENCH

NAYS.

MESSRS. SOLICITOR GENERAL
THOMPSON
SHERWOOD
ELLIOTT
SH'FF MACDONELL
BUELL
McKEE
A. MACDONELL &
McCRAE

The same was passed in the negative by a majority of four.

Then Mr. Thompson, seconded by Mr. Angus Macdonell, moved that this Bill be read a second time this day.

A division took place, and the same was carried in the affirmative.

And the said Bill was read a second time accordingly.

Then Mr. Thompson, seconded by Capt. Elliott, moved that the House do now resolve itself into Committee to take this Bill into consideration.

And the House resolved itself into Committee.

Mr. Speaker left the Chair.

Capt. Elliott was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Capt. Elliott reported that the Committee had gone through the consideration of the said Bill and had directed him to report the same without any amendment.

Which report was accepted.

And then Mr. Rogers moved, seconded by Mr. Swayzie, that the Bill be read a third time this day three months.

And then Mr. Sol'r Gene'l moved an amendment, seconded by Mr. Sherwood, that instead of "this day three months" be inserted "read this day."

On the question being put, a division thereupon took place, and the names were taken down and are as follows:

Yeas.

MESSRS SOLICITOR GENERAL
THOMPSON
ELLIOTT
SHERWOOD
SHERIFF MACDONELL
BUELL
WASHBURN
MACDONELL
McKEE &
McCRAE

Nays.

MESSRS FERGUSON
BEASLEY
WEAGER
ROGERS
CLENCH
SWAYZIE &
NELLES

The motion as amended was carried by a majority of three.

And the Bill was then read a third time, passed and signed by Mr. Speaker.

Then Mr. Thompson, seconded by Mr. Solicitor General, moved that the same messengers that are appointed to carry up the Bill for regulating the Court of Quarter Sessions do carry up this Bill to the Honorable Legislative Council and request their concurrence.

Ordered accordingly.

Mr. Weager, seconded by Mr. Thompson, moved that previous to the order of the day for the third reading of the Bill entitled "An Act for the more easy apprehending absconding Debtors, and to repeal certain parts of an Act passed in the Parliament of Great Britain in the twelfth year of the Reign of His Majesty King George the First entitled "An Act to prevent frivolous and vexatious arrests," the word "forty" before the word "shillings" be expunged, and the word "five" inserted in lieu thereof.

The said motion was carried in the negative.

Then the Bill passed and was signed by Mr. Speaker.

Mr. Solicitor General, seconded by Mr. McCrae, moved that Mr. Ferguson and Mr. Swayzie be a Committee to carry up the Bill now passed to the Honorable Legislative Council, and to request their concurrence therein.

It was ordered accordingly.

Mr. Sherwood, seconded by Mr. Thompson, moved that so much of the usage of the House be dispensed with as requires a previous notice to bring in a Bill, and that leave be given now to bring in a Bill to grant to His Majesty a sum of money out of the Provincial Funds to pay the officers of the two Houses and the contingent expenses thereof, and to provide for their future payment, and also to pay the Commissioners to Lower Canada.

Leave was granted, and the said Bill was read the first time.

Mr. Sherwood, seconded by Mr. Solicitor General, moved that the said Bill be now read a second time.

It was ordered accordingly.

Mr. Sherwood, seconded by Mr. A. Macdonell, moved that the House resolve itself into Committee to take the said Bill into consideration.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Capt. McKee reported the Bill without any amendment.

Which report was accepted.

Mr. Ferguson, seconded by Mr. Washburn, moved an amendment to the said Bill by inserting after the words "the two Commissioners to Lower Canada" that in lieu of one hundred pounds each the sum of one hundred and fifty pounds each be inserted.

The said motion was carried in the negative.

Mr. Sherwood, seconded by Mr. Ferguson, moved for the third reading of the Bill.

The Bill was accordingly read the third time, passed, and signed by Mr. Speaker.

Mr. Sheriff McDonell, seconded by Mr. Sherwood, moved that Mr. Solicitor General and Mr. Washburn be a Committee to carry this Bill up to the Honorable Legislative Council and request their concurrence thereto.

Ordered accordingly.

Mr. Sherwood, seconded by Mr. McCrae, moved that the House resolve itself into a Committee to take into further consideration the Bill for laying duties on goods coming from the United States.

The House resolved itself into Committee accordingly.

Mr Speaker left the Chair.

Mr. Macdonell took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell reported a progress, and asked leave to sit again this day.

And leave was granted.

A Message from the Honorable Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

The Honorable Legislative Council have commanded me to inform this Honorable House that they have passed a Bill entitled "An Act to allow time for the sale of lands and tenements by the Sheriff" to which they desire the concurrence of this House; and to inform this House that the Honorable Legislative Council had passed the Bill sent up to them to remove doubts with respect to the authority under which the Courts of General Quarter Sessions of the Peace and other Courts have been erected.

And then withdrew.

The Bill from the Honorable Legislative Council was read the first time.

Mr. Ferguson, seconded by Capt. Elliott, moved that the said Bill be read a second time to-morrow.

It was ordered accordingly.

The Speaker left the Chair.

Mr. Macdonell again took the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Macdonell reported that the Committee had gone through the consideration of the said Bill without any amendments.

Which Report was accepted.

Then Mr. Thompson, seconded by Mr. Ferguson, moved that the said Bill be engrossed and read a third time on Wednesday.

Ordered accordingly.

Capt. McKee, seconded by Mr. Thompson, moved that the thanks of this House be given to Mr. Angus Macdonell for his services while Clerk of it, and that the same be communicated by the Speaker.

Thereupon a division took place, and the names were taken down as follows:

Yeas.	Nays.
MESSRS A. MACDONELL	MESSRS BEASLEY
SOLICITOR GENERAL	NELLES
SHERWOOD	SWAYZIE
SHERIFF MACDONELL	WEAGER
ELLIOTT	McCRAE
McKEE	ROGERS
FERGUSON	WASHBURN
	THOMPSON
	BUELL

The same was carried in the negative by a majority of two.

Mr. Washburn, seconded by Mr. Clench, moved for leave to bring in to-morrow a Bill to ascertain the power of the Poundkeeper respecting the authority given him by an Act passed in the thirty fourth year of His Majesty's Reign, entitled "An Act to restrain the custom of permitting horned cattle, horses, sheep and swine to run at large."

And leave was granted.

Mr. Rogers moved, seconded by Mr. Clench, that it is the opinion of this House that Angus Macdonell, Esq., hath faithfully performed his duty while he was Clerk of this House, and that he was not dismissed from his office for any irregularity in his conduct as Clerk.

On the question being put a division took place, and the names were taken down as follows:

Yeas.

MESSRS WASHBURN
ROGERS
CLENCH
SWAYZIE
NELLES
FERGUSON
WEAGER
ELIOTT
McKEE
SHERIFF MACDONELL
A. MACDONELL
McCRAE
BEASLEY.

Nays.

MESSRS SOLICITOR GENERAL
SHERWOOD
THOMPSON
BUELL

The same was carried by a majority of nine.

Then Mr. Rogers moved, seconded by Mr. Clench, that this Resolution be communicated to Mr. Macdonell by the Speaker.

It was ordered so accordingly.

And then on motion of Mr. Rogers, seconded by Mr. Swayzie,

The House adjourned.

30th June 1801.

Prayers were read.

Agreeable to the Order of the Day was read the first time a Bill to ascertain the Power of the Poundkeeper respecting the authority given him by an Act passed in the thirty fourth year of His Majesty's Reign.

On motion of Mr. Washburn, seconded by Mr. Swayzie, the said Bill was read a second time.

On motion of Mr. McCrae, seconded by Mr. Weager,

The House resolved itself into Committee upon the said Bill.

Mr. Speaker left the Chair.

Mr. McCrae was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. McCrae reported progress and asked for leave to sit again.

And leave was granted.

Read a second time the Bill from the Honorable Legislative Council to allow time for the sale of lands and tenements by the Sheriff.

Mr. Ferguson moved, seconded by Mr. Rogers, that the House do now resolve itself into Committee to take into their consideration the Bill to allow time for the sale of lands and tenements by the Sheriff.

And the House resolved itself into Committee thereupon.

Mr. Speaker left the Chair.

Mr. Nelles was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Nelles reported that the Committee had made some progress, and that he was directed to ask leave to sit again this day.

And leave was accordingly granted.

A Message from the Honorable Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable Legislative Council to inform this Honorable House that the Legislative Council have concurred in passing without any amendment a Bill entitled "An Act to ratify and approve and confirm certain Provisional Articles of Agreement" entered into between this Province and the province of Lower Canada.

I am further commanded to inform you that the Honorable Legislative Council have passed a Bill entitled "An Act to prevent Acts of the Legislature from taking effect from a time prior to the passing thereof," and to request the concurrence of this Honorable House.

And then withdrew.

On motion of Mr. Rogers, seconded by Mr. Swayzie,

Ordered, That the Bill now sent down by the Honorable Legislative Council entitled "An Act to prevent Acts of the Legislature from taking effect from a time prior to the passing thereof" be now read the first time.

And the said Bill was read the first time.

Then Mr. Rogers moved, seconded by Mr. Swayzie, that the said Bill be read the second time to-morrow.

It was ordered accordingly.

Mr. Nelles was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Nelles reported that the Committee had gone through the consideration of the Bill to allow time for the sale of Lands and Tenements by the report to the House whenever it would be pleased to receive the same.

Ordered, That the Report be now received, and the amendments be engrossed.

And then Mr. Beasley moved, seconded by Mr. Ferguson, for leave to bring in this day a Bill to declare and fix the fees of the Clerk of the Peace in this Province.

Leave was granted.

And the said Bill was read the first time.

Then on motion of Mr. Beasley, seconded by Mr. Swayzie.

Ordered, that the said Bill be now read a second time.

It was accordingly read a second time.

On motion of Mr. Swayzie, seconded by Mr. Beasley.

Ordered, That this House do now resolve itself into Committee on the further consideration of the said Bill to declare and fix the fees of the Clerk of the Peace in this Province.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Beasley was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Beasley reported a progress and asked for leave to sit again.

And leave was granted.

Mr. McCrae moved, seconded by Mr. Swayzie, that this House do now resolve itself into Committee to take into their further consideration the Bill for ascertaining the side lines of the different Townships on the River Thames.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Ferguson was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Ferguson reported that it was the opinion of the Committee that the further consideration of the said Bill should lie over until the next Session of the Provisional Parliament.

It was ordered accordingly.

And then on motion of Mr. Rogers, seconded by Mr. Swayzie,

Ordered, That the Bill to allow time for the sale of lands and tenements by the Sheriff, as amended, be now read a third time.

Ordered, accordingly, and the same was read a third time, passed, and signed by Mr. Speaker.

Then Mr. Macdonell moved, seconded by Mr. Swayzie, that this House do now adjourn.

And the House adjourned accordingly.

Wednesday, 1st July 1801.

Prayers were read.

According to the Order of the Day, the House resolved itself into Committee on the Bill to fix the fees of the Clerk of the Peace.

Mr. Speaker left the Chair.

Mr. Beasley was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Beasley reported a progress, and asked for leave to sit again this day.

And leave was accordingly granted.

A Message from the Honorable Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable Legislative Council to inform this Honorable House that they have concurred and passed the Bill entitled "An Act for granting to His Majesty a certain sum of money out of the Provincial Fund to defray the payment of the salaries of the officers of the House of Legislative Council and House of Assembly (including the Commissioners to Lower Canada) and to defray the contingent expenses thereof, and further to appropriate the surplus and provide for the payment of the same hereafter."

Mr. Speaker left the Chair.

Mr. Beasley was called again to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Beasley reported a progress on the Bill to fix the fees of the Clerk of the Peace, and asked leave to sit again this day.

And leave was granted.

A Message from the Honorable Legislative Council, by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable Legislative Council to inform this Honorable House that they have passed an Act to declare and establish what shall be deemed and taken to be the Public Road throughout this Province, and to return a Bill entitled "An Act for the more easy apprehending absconding debtors," with amendments, and desire the concurrence of this House to the said amendments.

And then withdrew.

Mr. Speaker left the Chair.

Mr. Beasley again took the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Beasley reported progress and asked leave to sit again.

And leave was granted.

Mr. Sheriff Macdonell moved, seconded by Mr. Swayzie, that Mr. Rogers and Mr. Thompson do carry up to the Legislative Council the Bill to allow time for the sale of Lands and Tenements by the Sheriff, as amended, and request their concurrence.

Mr. Rogers reported that they had carried up the said Bill and requested their concurrence.

Mr. Rogers, seconded by Mr. McCrae, moved that the Bill to prevent Acts of the Legislature from taking effect from a time prior to the passing thereof be read a second time.

It was ordered accordingly, and was read the second time.

On motion of Mr. Clench, seconded by Mr. Thompson,

The House resolved itself into Committee on the Bill for fixing the time when the Law shall take effect.

Mr. Speaker left the Chair.

Mr. Sherwood was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Sherwood reported a progress and asked leave to sit again this day.

And leave was granted.

A Message from the Honorable Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable Legislative Council to inform this Honorable House that they request a conference with this House on the consideration of the Bill returned to them with amendments made by this House, entitled "An Act to allow time for the sale of Lands and Tenements by the Sheriff."

And then withdrew.

Mr. Rogers, seconded by Capt. Elliott, moved that Mr. Sheriff Macdonell, Mr. Thompson and Mr. Solicitor General be a Committee to confer with the Honorable Legislative Council on the Bill for allowing time for the sale of Lands and Tenements by the Sheriff.

Mr. Ferguson moved, seconded by Capt. Elliott, that Messrs. Sherwood and Beasley be added to the Committee to concur with the Honorable Legislative

Council on the Bill to allow time for the sale of Lands and Tenements by the Sheriff.

The same was carried in the negative.

Mr. Speaker left the Chair.

Mr. Sherwood was called again to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Sherwood reported a progress and asked leave to sit again this day.

And leave was granted.

On motion of Mr. Sherwood, seconded by Mr. Rogers,

The House resolved itself into Committee on the Bill to alter the practice of the Court of King's Bench, as amended by the Honorable Legislative Council.

Mr. Speaker left the Chair.

Mr. Washburn was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Washburn reported from the Committee that it was their wish that a conference be had with the Honorable Legislative Council on the amendments made by them to the Bill for altering the practice in the Court of King's Bench.

Which Report was accepted, and a conference was ordered to be requested.

Mr. Rogers moved, seconded by Mr. Swayzie, that the Bill entitled "An Act to declare and establish what shall be deemed Public Roads in this Province," be now read a first time.

It was read accordingly the first time.

Mr. McCrae moved, seconded by Mr. Weager, that the House do now resolve itself into Committee on the Bill for apprehending absconding debtors, as returned from the Honorable Legislative Council with amendments made by them.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Nelles was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Nelles reported that the Committee had gone through the consideration of the amendments made by the Honorable Legislative Council, which he was desired to report whenever the House was disposed to receive the same.

Resolved, That the said Report be now accepted.

And the said Bill as amended passed, and was signed by Mr. Speaker.

Mr. Sherwood moved, seconded by Mr. Rogers, that the order for requesting a conference on the amendments made to a Bill to alter the practice of the Court of King's Bench be discharged.

Ordered accordingly.

Mr. Sherwood moved, seconded by Mr. Swayzie, that the Bill to alter the practice in the Court of King's Bench do pass as amended by the Legislative Council.

And the same passed accordingly, and was signed by Mr. Speaker.

Mr. Rogers moved, seconded by Mr. Clench, that Mr. Beasley and Mr. Weager be a Committee to carry up the said Bill to the Honorable Legislative Council, and inform them that this House had concurred in the amendments made by them to the said Bill.

The Committee of conference with the Honorable Legislative Council on the Bill to allow time for the sale of lands by the Sheriff reported that the Honorable Legislative Council object to the amendments of the Honorable House of Assembly, because it makes no alteration in the law as it now stands and is mere surplusage.

Then Mr. Speaker put the question, Shall this Bill pass as amended by the House.

Upon which the House divided, and the numbers being equal Mr. Speaker gave his vote for the Bill to pass without the amendment, and it passed accordingly.

Agreeable to the Order of the Day was read a third time the engrossed Bill for laying duties on articles imported from the United States, entitled "An Act for granting to His Majesty His Heirs and Successors, to and for the use of this Province, the like duties on goods and merchandise brought into this Province from the United States of America as are now paid on goods and merchandise imported from Great Britain and other places.

On the question being thereupon put a division took place, and the names were taken down as follows.

Yeas	Nays
MESSRS FERGUSON	MESSRS WEAGER
BUELL	NELLES
SHERWOOD	ROGERS
SHERIFF MACDONELL	CLENCH
WASHBURN	BEASLEY
McCRAE	
THOMPSON	
SWAYZIE	

The same was carried in the affirmative by a majority of three, and the Bill passed and was signed by Mr. Speaker.

Mr. Washburn moved, seconded by Mr. Swayzie,

That the consideration of the Pound Bill be deferred for another year.

It was ordered accordingly.

Mr. Solicitor General moved, seconded by Mr. Thompson, That Messrs Sherwood, Ferguson and Washburn be a Committee to wait on the Honorable Legislative Council, and inform them that this House do agree to withdraw the amendments made to the Bill to give time for the sale of lands in this Province, and that the same messengers do carry up this Bill for their concurrence for laying duties on goods coming into the Province from the United States.

Ordered accordingly.

Mr. Rogers, seconded by Mr. Clench, moved that this House do now resolve itself into Committee on the Bill to prevent Acts of the Legislature from taking effect from a time prior to the passing thereof.

Mr. Speaker left the Chair.

Mr. Sherwood took the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Sherwood reported that the Committee had gone through the consideration of the said Bill as sent down by the Honorable Legislative Council without any amendments.

Which Report was accepted, and the Bill passed and was signed by Mr. Speaker.

Mr. Beasley, seconded by Mr. Nelles, moved that the consideration of a Bill for regulating the fees for Clerks of the Peace and foreigners in this Province be deferred till the next session of Parliament.

Ordered accordingly.

On motion of Mr. Beasley, seconded by Mr. Swayzie,

The House adjourned.

Thursday 2nd July 1801.

Present Mr. Speaker, Messrs Rogers and Swazey,

Mr. Speaker adjourned the House for want of a Quorum.

About eleven o'clock the House met, and the minutes of yesterday being read.

Mr. Rogers moved, seconded by Mr. Weager, that the Bill sent down by the Honorable Legislative Council entitled "An Act to declare and establish what shall be deemed and taken to be the Public Roads throughout this Province," be now read a second time.

It was read accordingly a second time.

The House resolved itself into Committee on the said Road Bill.

Mr. Speaker left the Chair.

Mr. Buell was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Buell reported that the Committee had gone through the consideration of the Bill to declare what shall be deemed and taken to be Public Roads in this Province, with amendments.

Which Report was accepted.

Then Mr. Rogers, seconded by Mr. Weager, moved that Mr. Sherwood and Mr. Thompson do carry up the Bill to declare the time for the law to take effect as amended to the Honorable Legislative Council, and request their concurrence.

Capt. Elliott moved, seconded by Mr. Sherwood, for leave of absence till the end of this Session.

And leave of absence was accordingly given.

On motion of Mr. Nelles, seconded by Mr. Swayzie,

The House adjourned.

Friday 3rd July 1801.

A Message from the Honorable Legislative Council by Mr. Burns, Master in Chancery,

Mr. Speaker,

I am commanded by the Honorable Legislative Council to inform this Honorable House that they passed the Bill entitled "An Act for granting to His Majesty, His Heirs and Successors, to and for the uses of this Province, the like duties on goods and merchandize brought into this Province from the United States of America, as are now paid on goods and merchandize imported from Great Britain and other places.

And then withdrew.

Mr. Ferguson moved, seconded by Mr. Rogers, that the amendments to the Bill entitled "An Act to declare and establish what shall be deemed or taken to be the Public Roads throughout this Province" be rejected, and that the Bill pass without amendment.

The question being put, the House divided, and the names were taken down and are as follows.

Yeas	Nays
MESSRS SOLICITOR GENERAL	MR. SH'F MACDONELL
NELLES	A. MACDONELL
SWAYZIE	WEAGER
McCRAE	BUELL
BEASLEY	
FERGUSON	
ROGERS	
SHERWOOD	
CLENCH	

And the same was carried in the affirmative by a majority of five.

Mr. Rogers, seconded by Mr. Swayzie, moved that Mr. Ferguson and Mr. McCrae do carry this Bill up to the Legislative Council and inform them that this house have concurred in the passing of the same without any amendments.

Mr. Ferguson reported that they carried up to the Honorable Legislative Council the said Bill.

Mr. Sheriff Macdonell moved, seconded by Mr. Angus Macdonell, that so much of the usage of this House be dispensed with and that leave be given him now to bring in a Bill to empower the Governor, Lieut. Governor or person administering the Government, to grant a bounty on all hemp the produce of this Province.

And leave was accordingly granted.

And the said Bill was read the first time.

Mr. Sheriff Macdonell, seconded by Mr. Solicitor General, moved that this Bill be now read a second time.

And the said Bill was read the second time.

Mr. Sheriff Macdonell moved, seconded by Mr. A. Macdonell, that the House do now resolve itself into Committee to take this Bill into consideration.

And the House resolved itself into Committee accordingly on the Bill entitled "An Act to enable His Majesty to grant a bounty on hemp, the produce of this Province."

Mr. Speaker left the Chair.

Mr. Macdonell was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Macdonell reported that the Committee had gone through the consideration of the said Bill with amendments.

Which report was accepted.

Then Mr. Solicitor General moved, seconded by Mr. Weager, that the Bill be engrossed and read a third time to-morrow.

Ordered accordingly.

Mr. Rogers moved, seconded by Mr. Solicitor General, that the House do now resolve itself into Committee to take into their further consideration the Public Accounts of this Province.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Swayzie was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Swayzie reported, that the Committee had examined the Public Accounts, and that he was ordered to report as follows.

In a Committee of the Whole House
Friday 19th June 1801.
Mr. Thompson in the Chair.

The Committee took up and read the following accounts.

The Receiver General's Account for duties received under Provincial Acts between 10th June 1799 & 7th June 1800, wherein there appears to be a balance in the Treasurer's hands of £402. 4. 5¼.

The Receiver General's Account current for duties under Provincial Acts between 7th June and 27th May 1801, in which is brought forward the above balance of £402. 4. 5¼, making a balance in the Receiver General's hands	3069. 1. 1¼.
N. B. This account includes duties from Lower Canada between 5th January 1800 and 5th January 1801, £1,003. 13. 4¼. 1-10. which the Receiver General states he is not sure is correct for want of letter of advice exclusive of this £3,069. 1. 1¼ 1-10.	
There is by the List of persons licensed to keep stills for the year ending 5th April 1801, £253. 5. 3 3-4. By Revenue collected on Tavern and Shop licenses for the year ending 5th April 1801 111. 0. 0.	364. 5. 3¾.
	£3433. 6. 5.

The Receiver General states that the Secretary has to account for 84 Still Licenses and
90 Shop Licenses To expire 5th April 1801.
60 Shop and Tavern Licenses " " 5th April 1801.
Mr. Secretary Jarvis accounts for only 51 Still
Licenses and 111 Shop and Tavern Licenses To 5th April 1801.

But no account is rendered by the Still, Shop and Tavern Licenses issued after 5th April 1801, and to expire 5th April 1802, so that it appears that the Secretary has 33 Still Licenses to account for to 5th April 1801.

The Committee observe that there is a resolution of a Committee of the Whole House, soon after its meeting at this session, that the whole of the money raised upon shop and tavern licenses, amounting to three pounds each, is applicable to the express purpose of defraying the salaries of the Officers and the Committee observe that the Receiver General has credited only one pound of the above three pounds as raised under Provincial Statute, so that the last and present year there appears to be £2. in addition to each shop and tavern license to be looked for.

The Committee then took up the Petition of Angus Macdonell Esquire, stating that considerable arrears are due him as Clerk of this House.

And the Committee, upon reference to what appears to be due for the last Session of Parliament finding that there are arrears also due to several of the Officers of both Houses, and other persons, are of opinion that there is due for the following services.

For services rendered previous to the present Session of Parliament.

The Clerk of the Legislative Council	145.	0.	0.
Black Rod	50.	0.	0.
Master in Chancery	50.	0.	0.
Chaplain of the Legislative Council	30.	0.	0.
Doorkeeper of the Legislative Council	20.	0.	0.
Speaker of the House of Assembly	200.	0.	0.
	495.	0.	0.
The late Clerk of the House of Assembly as above stated	300.	0.	0.
Serjeant At Arms	50.	0.	0.
Do. Contingent expenses	5.	15.	0.
Chaplain of the House of Assembly	30.	0.	0.
Doorkeeper	20.	0.	0.
Printing the Niagara Postage Bill	4.	10.	0.
Two Commissioners for Lower Canada.	200.	0.	0.
	1105.	5.	0.

And for the services of the present session as follows.

The Clerk of the Legislative Council	125.	0.	0.
Black Rod	50.	0.	0.
Master in Chancery	50.	0.	0.
Chaplain	50.	0.	0.
Doorkeeper	20.	0.	0.
Speaker of the House of Ass'y	200.	0.	0.
Clerk of the House of Assembly	125.	0.	0.
Serjeant at Arms	50.	0.	0.
Chaplain	50.	0.	0.
Doorkeeper	20.	0.	0.
Copying Clerk to Legislative Council £25 Do. to House of Assembly £25	50.	0.	0.
Printing the Laws of the present Session	250.	0.	0.
Printing Journals of do	50.	0.	0.
Furniture for House of Assembly	60.	0.	0.
	2255.	5.	0.

The Committee do humbly recommend to the House that a supply be granted to His Majesty of the above sum.

The Committee advise that the proper steps be taken by Mr. Speaker for printing the Journals of this Session, and that the House do recommend some person to him for that purpose, and that he be licensed to print the same exclusively in the usual manner.

As well as for procuring the furniture of which our estimate has been approved of £60.

For this purpose the usual Address to His Excellency is submitted.

25th June.

The Committee met pursuant to agreement.

The Committee observe that in the list of Stills and of Tavern and Shop Licenses it is noted that no returns have been yet received from the Secretary's Agent in the Eastern District for the year ending 5th April 1801.

The Committee observe from the information of several of its members that several persons keep taverns and shops who are not on the lists, and they have reason to believe that Stills are also in use which are not licensed.

The Committee recommend that so much of this Report as relates to the Receiver General and the Secretary be respectively communicated to them.

3rd July.

Mr. Swayzie in the Chair.

The Committee met pursuant to leave again, and agreed to report finally with a desire to have this Report verbatim on the Journals of this House.

(Signed) Isaac Swayzie,
Chairman.

Which Report was accepted and ordered accordingly.

Mr. Ferguson moved, seconded by Mr. Swayzie, that Mr. McCrae, Mr. Beasley, and Mr. Nelles have ten days of absence.

And leave was granted.

Mr. Rogers moved, seconded by Mr. Ferguson, That the Address to His Excellency the Lieutenant Governor as reported by the Committee on Public Accounts be now read.

It was read accordingly, and is as follows,

To His Excellency Peter Hunter, Esquire,
Lieutenant Governor of the Province of Upper
Canada, & Lieutenant General Commanding
His Majesty's Forces in the Provinces of
Upper and Lower Canada.

May it please Your Excellency:—

The House of Assembly having resolved that an humble Address be presented to Your Excellency that Your Excellency may be pleased (in addition to the salaries of the Officers of the two Houses) to issue your Warrant to the Speaker of the House of Assembly,—your Warrant for Twenty five Pounds to the Clerk of the Legislative Council for copying clerks,—your Warrant for Twenty Five Pounds to the Clerks of the House of Assembly for copying clerks,—your Warrant not exceeding Two hundred and fifty Pounds for printing the laws of this Session, and your Warrant to the Speaker for fifty Pounds for printing the Journals of this Session.

Therefore we the Commons of Upper Canada in Assembly met take the liberty of requesting Your Excellency to issue the above warrants, this House having taken the necessary steps for making good the same.

And we Your Majesty's faithful Commons Humbly pray Your Excellency that fifty copies of the several Acts of this Session be sent to the respective Members, to be generally distributed among the several officers in the respective Counties.

On motion of Mr. Swayzie, seconded by Mr. Nelles.

The House adjourned.

Commons House of Assembly
3rd July 1801.

Saturday 4th July 1801.

Prayers were granted.

Mr. Macdonell, Member for the Counties of Durham, Simcoe and East Riding of York, appeared at the Bar of the House to be admitted to his seat, on which he produced the indentures interchangeably entered into by Duncan Cameron, James Odell Roche, John Lyon and Thomas Hill, Freeholders in the Counties of Durham, Simcoe and East Riding of York, and William Allan, Returning Officer for the said Counties and Riding, which by order of Mr. Speaker the Clerk read at the Table.

And then The Speaker commanded the Serjeant at Arms to go and inform William Jarvis Esq. one of the Commissioners by Dedimus Potestatem to administer the Oath to the Members of the House of Assembly, and to request his attendance with the Roll signed by the Members of this House.

Mr. Swayzie moved, seconded by Mr. Weager, that Mr. Ferguson and Mr. Sherwood do wait on His Excellency the Lieutenant Governor with the Address from this House.

It was ordered accordingly.

Mr. Jarvis came to the Bar of this House and there did inform Mr. Speaker that Mr. Macdonell did take the oath as prescribed by the Statue and did sign the Roll.

Then David M. G. Rogers and Ralph Clench, Esquires, introduced Angus Macdonell, Esquire, Knight, representing the Counties of Durham, Simcoe and East Riding of York, and took his seat.

Mr. Angus Macdonell of York moved, seconded by Mr. Rogers, that the Order of the Day for the third reading of the Bill to enable His Majesty to grant a bounty on hemp, the produce of this Province, be discharged, and that the said Bill be recommitted.

It was ordered, and the House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. A. Macdonell, Glengarry, was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell reported that the Committee had gone through the consideration of the said Bill with amendments.

Which report was accepted.

And Mr. A. Macdonell, Glengarry, moved, seconded by Mr. Rogers, that as an amendment after the word "deputy" be inserted "or deputies."

Which amendment was adopted.

Mr. Rogers moved, seconded by Mr. Swayzie, that in the fifty clause after the word "proper" be inserted "to distribute the same."

Which amendment was agreed to.

Then Mr. Rogers moved, seconded by Mr. Clench, that the Bill as now amended be engrossed.

Ordered accordingly.

The engrossed Bill to enable His Majesty to grant a bounty on hemp was read a third time, passed and signed by Mr. Speaker.

Mr. Clench moved, seconded by Mr. Swayzie, that Mr. Rogers and Mr. Angus Macdonell, of York, do carry up to the Honorable Legislative Council the Bill for allowing His Majesty to grant a bounty on hemp the produce of this Province, and request their concurrence thereto.

Mr. Rogers and Mr. Angus Macdonell, of York, reported that they had carried up to the Honorable Legislative Council the Bill for allowing a bounty on hemp the produce of this Province.

On motion of Mr. Swayzie, seconded by Mr. Weager,

The House adjourned until Monday next.

Monday, 6th July 1801.

Prayers were read.

Mr. Rogers, seconded by Mr. Swayzie, moved that the House do now adjourn until one o'clock this afternoon.

And the House adjourned accordingly.

The House met pursuant to adjournment.

Mr. Ferguson and Mr. Sherwood reported that they had waited upon His Excellency the Lieutenant Governor with the Address of this House as ordered, and that having delivered the same His Excellency was pleased to return the following answer:

Gentlemen,

I shall always be happy to comply with the requests of the House of Assembly. I shall therefore issue my Warrants in the way that the Constitution directs for the purposes stated in the Address, and I shall order the number mentioned of the copies of the Acts of this Session to be sent to the respective Members.

York, 6th July, 1801.

Mr. Angus Macdonell of York, seconded by Mr. Clench, moved that an humble Address be presented to His Excellency the Lieutenant Governor, beseeching him to withhold the Royal assent from the Bill entitled "An Act to allow time for the sale of Lands and Tenements by the Sheriff," the Commons having good ground to believe that the same will be productive of much evil to the country.

Upon which Mr. Washburn, seconded by Mr. Ferguson, moved that as the motion contained new matter it was contrary to the rules of the House to proceed thereon without a day's previous notice.

Which motion was carried in the negative.

Upon which Mr. Angus Macdonell of York, seconded by Mr. Clench, moved that the rule of the House in such respect be in the present instance dispensed with.

Thereupon the question having been put, the question was carried in the affirmative.

After which the main question was put, when a division ensued, and the names being called for they were taken down and are as follows,

Yeas	Nays
Messrs. MACDONELL, York	Messrs SHERWOOD
MACDONELL, Glengarry	SHERIFF MACDONELL
CLENCH	WEAGER
SWAYZIE	WASHBURN
BUELL	FERGUSON
	THOMPSON

The same passed in the negative by a majority of one.

Mr. Sheriff Macdonell, seconded by Mr. Macdonell of Glengarry, moved that the contingent accounts of the Clerk of the House be laid before the House, and that the House do now resolve itself into Committee thereon.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Angus Macdonell of York was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Angus Macdonell of York reported a progress, and requested leave to sit again this day.

Leave was accordingly granted.

A Message from the Honorable Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable Legislative Council to inform this House that they have passed the Bill for allowing His Majesty to grant a bounty on hemp, the produce of this Province, with some amendments, to which amendments they request the concurrence of the House of Assembly.

And then withdrew.

Mr. Clench moved, seconded by Mr. Ferguson, that the Bill for allowing His Majesty to grant a bounty on hemp, the produce of this Province, sent down from the Honorable Legislative Council with amendments, be read this day three months.

And it was so ordered accordingly.

Mr. Angus Macdonell of York, seconded by Mr. Swayzie, moved for leave to bring in this day a Bill to encourage the growth of hemp.

Whereupon the question having been put, the House divided, and the names were taken down as follows:—

Yeas	Nays
MESSRS. A. MACDONELL, York.	MESSRS WASHBURN
MACDONELL, Glengarry.	WEAGER
SHERIFF MACDONELL	SHERWOOD
SWAYZIE	CLENCH
	BUELL

And the same passed in the negative by a majority of two.

Mr. Sheriff Macdonell, seconded by Mr. Ferguson, moved for leave to bring in to-morrow a Bill to empower the Governor, Lieutenant Governor, or person administering the Government, to grant certain bounties on the culture of hemp, and to provide for the purchase of seed.

Whereupon the question having been put, the same passed in the negative.

Then Mr. Angus Macdonell of York, seconded by Mr. Swazie, moved that an humble address be presented to His Excellency the Lieutenant Governor praying him to apply a sum of money not exceeding two hundred and fifty pounds out of the unappropriated funds which now are in the Provincial Treasury, or may in the course of this year be paid into the same for the purpose of purchasing and distributing gratis among the farmers of this Province hemp seed, and a further sum of money not exceeding five hundred pounds to be laid out in premiums and bounties to the cultivators of hemp in such manner as he shall think fit. Which sums of money this House will make good during the next Session of Parliament.

And it was ordered accordingly unanimously.

And then Mr. Sherwood, seconded by Mr. Clench, moved that the House do now resolve itself into Committee to take into consideration the draught of the Address to His Excellency the Lieutenant Governor.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Weager was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Weager reported that the Committee had gone into the consideration of the said Address and had directed him to report a draught thereof.

Which report was accepted, and the draught of the said Address was read and is as follows,

To His Excellency Peter Hunter, Esq.,
Lieutenant Governor of the Province
of Upper Canada, and Lieutenant
General Commanding His Majesty's
Forces in the Provinces of Upper and
Lower Canada, &c.

May it please Your Excellency,

We, His Majesty's most dutiful and loyal subjects the Commons of Upper Canada in Parliament met, having resolved that an humble Address be presented to Your Excellency praying that a sum of money not exceeding two hundred and fifty pounds be applied out of the unappropriated funds which now are in the Provincial Treasury, or may in the course of the present year be paid into the same, for the purpose of purchasing and distributing gratis among the farmers of this Province hemp seed; and a further sum of money not exceeding five hundred pounds to be laid out in premiums and bounties to the deserving cultivators and exporters of hemp in such manner as in Your Excellency's wisdom shall seem meet: which sums of money the Commons will make good during the next Session of Parliament.

We therefore pray that it may please Your Excellency favorably to approve of this the resolution of the Commons, and that Your Excellency will be pleased to cause the same to be carried into effect as Your Excellency shall in your discretion see fit.

Resolved, That the said Address be agreed to and that the same be engrossed.

Ordered accordingly.

Mr. Speaker left the Chair.

Mr. Angus Macdonell of York again took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell of York reported that the Committee had taken up the accounts of James Clerk Esq. Clerk of the Legislature with the following items.

Stationery	£12.					
The Committee think as a proper sum for stationery for next year and to be hereafter accounted for	25.			37.	0	0.
A small Bill of the Usher of the Black Rod	0.	15.	3.			
Do. Doorkeeper of Legislative Council	1.	1.	0.	1.	16.	3.
				£38.	16.	3.

The Committee also took up the accounts of Donald McLean Esq. Clerk of the House of Assembly the following items:—

Mr. Lindsay's receipt for stationery	10.	13.	9.			
Mr. Woods' account for Stationery	1.	0.	0½			
Mr. McNabb's account for stationery	3.	1.	2.			
Mr. Cameron's acct for stationery	3.	11.	5½			
Doorkeeper of the House of Assembly	1.	18.	0.	£20.	4.	5.
The Committee think as a proper sum for stationery for next year to be hereafter accounted for				25.	0.	0.
				£84.	0.	8.

The last three items to be paid for by the respective Clerks and included in their accounts, namely,—

Clerk of Legislative Council	38.	16.	3.
Do. of Assembly	45.	4.	5.
	£84.	0.	8.

The Committee recommended that the usual Address be presented to His Excellency to advance the money, and that the House do pledge themselves to make it good at the next Session of Provincial Parliament.

This report to be inserted with permission of the House on the Journals as usual.

By Order of the Committee,
(Signed) Angus Macdonell,
Chairman.

Ordered accordingly.

Mr. Ferguson moved, seconded by Mr. Sherwood, that an humble Address be presented to His Excellency the Lieutenant Governor that he would be pleased to issue his Warrant for the amount of the contingent accounts of the Clerks of the Honorable Legislative Council and of this House.

Ordered accordingly, and the address is as follows,

To His Excellency Peter Hunter, Esq.,
Lieutenant Governor of the Province of
Upper Canada, and Lieutenant General
Commanding His Majesty's Forces in the
Provinces of Upper and Lower Canada.

May it please Your Excellency,

The House of Assembly having resolved that an humble Address be presented to Your Excellency may be pleased to issue your Warrant for Thirty eight Pounds Sixteen Shillings and Threepence to the Clerk of the Legislative Council for contingent expenses this Session, and for the purpose of stationery for the next Session. And also that Your Excellency will be pleased to issue your Warrant for Forty Five Pounds Four Shillings and Five pence to the Clerk of the House of Assembly for contingent expenses this Session, and for stationery for the next Sessions.

Therefore we the Commons of Upper Canada in Assembly met take the liberty of requesting Your Excellency to issue the above warrants which we will make good to Your Excellency the next Session of Parliament Commons House of Assembly.

Mr. Sherwood, seconded by Mr. Swayzie, moved that Mr. Sheriff Macdonell and Mr. Weager do carry the Address to His Excellency the Lieutenant Governor tomorrow.

Ordered accordingly.

On motion of Mr. Rogers, seconded by Mr. Swayzic, the House adjourned until Wednesday next.

Wednesday 8th July 1801.

Prayers were read.

Agreeable to the Order of the Day the House was called over, when there appeared.

MESSRS FERGUSON
SHERIFF MACDONELL
MACDONELL (GLENGARRY)
SHERWOOD
CAPT. McKEE
BUELL

MESSRS CLENCH
MACDONELL (YORK)
WASHBURN
WEAGER
SWAYZIE

Absent by leave from the House,

MESSRS. McCRAE
BEASLEY
NELLES
CAPT. ELLIOTT.

Without leave,

MR. SOLICITOR GENERAL
MR. THOMPSON

Mr. Thompson soon appeared and took his seat.

Then Mr. Sheriff Macdonell and Mr. Weager reported that they had waited upon his Excellency the Lieutenant Governor with the Address agreeable to the resolution of this House, to which His Excellency was pleased to return the following answer,

Gentlemen,

The zeal which you discover for the cultivation of hemp, a measure which I trust will equally contribute to the prosperity of this Province and the advantage of the Mother Country, gives me the highest satisfaction.

Your resolution I most highly approve, and you may rest assured that I shall apply the means which you have put into my hands to promote in the most effectual manner in my power that valuable and laudable purpose for which it is intended.

York 7th July 1801.

Gentlemen,

I have received your Address requesting me to issue my Warrants for stationery &c. for the Legislative Council and House of Assembly, which warrants shall be issued accordingly.

York 7th July 1801.

On the motion of Mr. Sherwood, seconded by Mr. Swayzie,
This House adjourned.

Thursday 9th July 1801.

Prayers were read.

A Message from His Excellency the Lieutenant Governor by Mr. George Law, Gentleman Usher of the Black Rod,

Mr. Speaker,

I am commanded by His Excellency the Lieutenant Governor to acquaint this Honorable House that it is His Excellency's pleasure that the Members thereof do forthwith attend upon His Excellency in the Legislative Chamber.

Accordingly Mr. Speaker with the House went up to attend. His Excellency was pleased to give, in His Majesty's Name, the Royal assent to the following Public and Private Bills.

An Act to continue an Act passed in the thirty-seventh year of His Majesty's Reign entitled "An Act for the better securing the Province against the King's enemies."

An Act to prevent Acts of the Legislature from taking effect from a time prior to the passing thereof.

An Act to remove doubts with respect to the authority under which the Courts of General Quarter Sessions of the Peace and other Courts have been erected and holden, and other matters relating to the administration of justice done in the several Districts of this Province, and also to fix the times of holding the Courts of General Sessions of the Peace in and for the same.

An Act the better to adopt the establishment of the Court of King's Bench in the present situation of this Province.

An Act to regulate the Statute Labour to be done upon the Roads in the Tract occupied by the Huron Indians in the County of Essex in the Western District.

An Act to authorize the Governor, Lieutenant Governor, or person administering the Government to appoint Inspectors of Flour, Pot and Pearl Ashes within this Province.

An Act to prevent the sale of spirituous liquors and strong waters in the Tract occupied by the Moravian Indians on the River Thames, in the Western District.

An Act for the further regulation of the Militia of this Province, and for the more effectual punishment of offenders against the Militia Laws.

His Excellency was pleased to withhold His Majesty's assent from the two following Bills.

A Bill entitled "An Act to declare and establish what shall be deemed and taken to be the Public Roads throughout this Province."

A Bill entitled "An Act to repeal certain parts of an Act passed in the Parliament of Great Britain in the twelfth year of His Majesty King George the First, entitled "An Act to prevent frivolous and vexatious arrests, and for the more easy apprehending absconding debtors."

His Excellency was pleased to reserve the two following Bills for the signification of His Majesty's pleasure thereon.

A Bill entitled "An Act to enable Femmes Covert having real estate, or interest in real estate, more conveniently to aliene the same."

A Bill entitled "An Act to allow time for the sale of lands and tenements by the Sheriff.

Mr. Speaker then said:—

May it please Your Excellency to approve of the three Bills which the House of Assembly, with the concurrence of the Legislative Council have passed for aids to His Majesty.

An Act to ratify and confirm certain Provisional Articles of Agreement entered into by the respective Commissioners of this Province and of Lower Canada at Quebec on the second day of February one thousand eight hundred and one relative to duties and for carrying the same into effect, and also to continue an Act passed in the thirty ninth year of His Majesty's Reign.

An Act for granting to His Majesty a certain sum of money out of the Provincial Funds to defray the payments of the salaries of the officers of the Legislative Council and House of Assembly, (including the Commissioners to Lower Canada) and to defray the contingent expenses thereof, and further to appropriate the supplies and provide for the payment of the same hereafter.

An Act for granting to His Majesty, His Heirs and Successors, to and for the uses of this Province, the like duties on goods and merchandize brought into this Province from the United States of America as are now paid on goods and merchandize imported from Great Britain and other places.

To which His Excellency was also pleased to give the Royal assent in His Majesty's Name.

And then His Excellency was pleased to make the following Speech to both Houses.

Honorable Gentlemen of the Legislative Council and Gentlemen of the Assembly:—

The advanced period of the season and the calls of your private affairs admonish that it is time to release you from your attendance at this place.

But before I put an end to the Session I cannot deny myself the satisfaction of expressing the pleasure with which I view what you have done in it.

Your attention with respect to the Revenue of this Province merits my approbation, the subject being new must have been accompanied with difficulties, Experience in such matters is our surest guide; and the frequent opportunities which you have had of meeting in your legislative capacity will enable you, should it be requisite, to apply that experience to perfect what you have begun.

The other Bills to which I have given the Royal assent appear to me to be fully entitled each to its share of my approbation.

And here I cannot forbear expressing the satisfaction which I feel from the zeal and liberality which you have discovered in promoting the culture of hemp, a measure so strongly recommended to us by our Parent State.

During the interval which will elapse before we meet here again I hope that you will reflect on the solemn trust with which you are invested, and the duty which your country calls upon you to perform, in the discharge of which nothing can contribute more than a study of that invaluable Constitution which it is the singular felicity of the two Canadas to possess, and which it hath pleased our Parent State kindly to bestow.

May those who enjoy this blessing be sensible of its value, and with vigilance and fortitude guard and defend that Government from which under Providence they derive both security and happiness.

After which the Honorable Speaker of the Legislative Council said,

Gentlemen of the Legislative Council, and

Gentlemen of the House of Assembly:

It is His Excellency the Lieutenant Governor's will and pleasure that this Provincial Parliament be prorogued until Monday the eighteenth day of August, to be then here held, and this Provincial Parliament is accordingly prorogued until Monday the eighteenth day of August next.

I do hereby certify that the above and the foregoing sheets are a true copy of the Journals of the House of Assembly of Upper Canada, being the first session of the third Provincial Parliament assembled at York on the 28th day of May last agreeable to the proclamation of His Excellency Peter Hunter Esquire Lieutenant Governor of Upper Canada, and Lieutenant General Commanding His Majesty's forces in Upper and Lower Canada, and prorogued by His Excellency the ninth day of July last.

Donald McLean
York, Upper Canada, 14th August 1801. Clk of Assembly.

[Journal of the Assembly of Upper Canada in 1801
Certified to be a true Copy
George Mayer,
Librarian and Keeper of
the Records, Colonial Office,
18th July 1855.]

Journal

OF THE

HOUSE OF ASSEMBLY

OF

Upper Canada

1802

Journal

OF THE

HOUSE OF ASSEMBLY

OF

Upper Canada,

1802.

PETER HUNTER, Lieutenant Governor.

PROCLAMATION.

George the Third, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith.

To all Our loving subjects.

GREETING. Whereas by our prorogation on the ninth day of July last we thought fit by and with the advice of our Executive Council to prorogue our Provincial Parliament until the eighteenth day of this present month of August, at which time in our Town of York you were held and constrained to appear. But we taking into our Royal consideration the ease and convenience of our loving subjects have thought fit by and with the advice of our Executive Council to relieve you and each of you of your attendance at the time aforesaid, hereby convoking, and by these presents enjoining you and each of you that on the twenty fifth day of September now next ensuing you meet us in our Provincial Parliament in our Town of York. there to take into consideration the state and welfare of our Province of Upper Canada, and therein to do as may seem necessary. Herein fail not.

In testimony whereof we have caused these our letters to be made patent, and the Great Seal of our said Province to be hereunto affixed. Witness our trusty and well beloved Peter Hunter, Esquire, our Lieutenant Governor Commanding our Provinces of Upper and Lower Canada, at York this thirteenth day of August in the year of Our Lord one thousand eight hundred and one, and in the forty first year of our Reign.

P. H. William Jarvis, Secretary.

By a further Proclamation of His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada and Lieutenant General Commanding His Majesty's Forces in the Province of Upper and Lower Canada &c. &c. Dated at York the twenty-first day of September one thousand eight hundred and one the meeting of the Legislative Council and House of Assembly stands prorogued to the second day of November one thousand eight hundred and one.

By a further Proclamation of His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper, and Lieutenant General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada &c. &c. dated at York the 26th. day of October one thousand eight hundred and one, the meeting of the Legislative Council and House of Assembly stands prorogued till the eleventh day of December one thousand eight hundred and one.

By a further Proclamation of His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada and Lieutenant General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada &c. &c. dated at York the fifth day of December one thousand eight hundred and one, the meeting of the Legislative Council and House of Assembly stands prorogued till the nineteenth day of January one thousand eight hundred and two.

By a further Proclamation of His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada and Lieutenant General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada dated at York the twelfth day of January one thousand eight hundred and two, the meeting of the Legislative Council and House of Assembly stands prorogued to the twenty-sixth day of February one thousand eight hundred and two.

By a further Proclamation of His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada and Lieutenant General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada &c. &c. dated at York the twentieth day of February one thousand eight hundred and two, the meeting of the Legislative Council and House of Assembly stands prorogued to the Sixth day of April one thousand eight hundred and two.

By a further Proclamation of His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada and Lieutenant General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada &c. &c., dated at York the third day of April one thousand eight hundred and two, the meeting of the Legislative Council and House of Assembly stands prorogued to the tenth day of May one thousand eight hundred and two.

PETER HUNTER. Lieutenant Governor.

PROCLAMATION

George the Third by the Grace of God of the United Kingdom of Great Britain and Ireland King, Defender of the Faith.

To all our loving Subjects GREETING.

Whereas by our proclamation bearing date the third day of April last we thought fit by and with the advice of our Executive Council to prorogue our Provincial Parliament until the tenth day of this present month of May, at which time in our town of York you were held and constrained to appear; but we taking into our Royal consideration the ease and convenience of our loving subjects have thought fit by and with the advice of our Executive Council to relieve you and each of you of your attendance at the time aforesaid, hereby convoking, and by these presents enjoining you and each of you that on the twenty fifth day of this present month of May you meet us in our Provincial Parliament in our Town of York, for the actual dispatch of Public Business, and to take into consideration the state and defence of our said Province of Upper Canada. And therein to do as may seem necessary.

In testimony whereof we have caused these our letters to be made patent, and the Great Seal of our said Province to be hereunto affixed. Witness our trusty and well beloved Peter Hunter Esquire, our Lieutenant Governor of our said Province, and Lieutenant General Commanding our Forces in our Provinces of Upper and Lower Canada at York this first day of May in the year of Our Lord one thousand eight hundred and two, and in the forty-second year of our Reign.

P. H. William Jarvis. Secretary.

HOUSE OF ASSEMBLY, UPPER CANADA

Tuesday 25th. May, 1802.

At the second Session of the Third Parliament of Upper Canada, begun and held in the Town of York on Tuesday the 25th. day of May, in the forty second year of the Reign of our Sovereign Lord, George the Third, by the Grace of God of the United Kingdom of Great Britain and Ireland King, Defender of the Faith and so forth, and in the year of our Lord one thousand eight hundred and two.

His Excellency the Lieutenant Governor having prorogued the Parliament until the 18th. day of August 1801 and by his proclamations annexed having further prorogued the same from time to time until this day.

The House being met,

A Message by Mr. George Law. Gentleman Usher of the Black Rod.

Mr. Speaker,

It is His Excellency the Lieutenant Governor's pleasure that this Honorable House do immediately attend him in the Honorable Legislative Council Chamber.

The House went up accordingly, and being returned

Mr. Speaker reported that the House had attended His Excellency the Lieutenant Governor in the Legislative Council Chamber, where His Excellency had been pleased to open the present Session by a most gracious Speech to both Houses, and that to prevent mistakes he had obtained for the information of the House a copy of His Excellency's Speech which was read as follows.

Honorable Gentlemen of the Legislative Council and Gentlemen of the House of Assembly:—

It is with the greatest satisfaction that I now congratulate you on the preliminaries of peace having been signed between Great Britain and the French Republic.

Our pleasure on this occasion is greatly heightened in reflecting that when peace and tranquility shall have been completely established Europe, after having endured the severest sufferings, will, under Providence be indebted for her deliverance to the valarous conduct and success of the British Arms.

The Commissioners under the Act for securing the titles to lands have made great and laudable progress in that task, which they have undertaken for the good of the Public. It will, however, be necessary for you still further to lend your aid to enable them to finish a work so conducive to the prosperity of this Province.

The Judicious measures adopted by those Gentlemen to whom I have entrusted the execution of the powers committed to me respecting the culture and exportation of hemp will, I trust, when carried into execution and perfected, effectually promote that salutary object.

The short experience we have as yet had in the receipt of the duties on goods brought from the United States of America opens a reasonable expectation of a considerable increase to the revenue of this Province.

Gentlemen of the House of Assembly,

I have directed the usual accounts to be laid before you, not doubting but that you will bestow on them that attention which the nature of the subject requires.

Honorable Gentlemen of the Legislative Council and Gentlemen of the House of Assembly,

The plenty and comfort which we now possess in this Province must fill every good mind with gratitude to the Supreme Giver of all things, but while we thus largely partake of the bounty of Providence, let us ever bear it in mind that it is only in the practice of industry and of virtue. by a steady and loyal attachment to our King, our Country and its laws, that we can hope for the continuance of that bounty or deserve it.

Members present.—Messrs. Nelles, Beasley, A. Macdonell of York, Mr. Solicitor General, Mr. Sheriff Macdonell.

After which Mr. Speaker adjourned the House for want of a quorum.

Wednesday, 26th. May 1802.

Mr. Speaker took the Chair and adjourned the House for want of a quorum.

Thursday, 27th. May 1802.

At ten o'clock in the forenoon Mr. Speaker took the Chair, and adjourned the House for want of a quorum.

Friday, 28th. May, 1802.

Present, Mr. Speaker, Messrs. Thompson and Weager.

Mr. Speaker adjourned the House for want of a quorum, but having understood that several Members arrived this morning, he directed the Messenger to wait on the several gentlemen who are in Town, to inform them that the House will meet to-morrow morning at ten o'clock for the despatch of business.

Saturday, 29th. May, 1802.

Prayers were read.

Agreeable to order, the minutes of the House were read from the 25th. instant.

Mr. Sheriff Macdonell moved, seconded by Mr. Ferguson, that Messrs. Ferguson, Thompson, Macdonell of York and Mr. Nelles be a Committee to draught an Address to His Excellency the Lieutenant Governor in answer to his speech.

It was ordered accordingly.

On the motion of Mr. Nelles, seconded by Mr. Angus Macdonell of York, the House adjourned till Monday at ten o'clock.

Monday, 31st. May, 1802.

Prayers were read.

Mr. Speaker informed the House that he had received a letter from Thomas McKee, Esquire, stating that his private affairs would not permit his leaving home, and to hope for the indulgence of this House in not attending to his duty in Parliament this Session.

Mr. A. Macdonell of York moved, seconded by Mr. Nelles, that in consequence of Mr. Speaker's representation Thomas McKee, Esquire, have leave of absence from the House during the present Session.

And leave of absence was accordingly granted.

Mr. Macdonell of York, from the Committee appointed to draw up an address of thanks to His Excellency the Lieutenant Governor for his Speech to both Houses in opening the present Session, reported that the Committee had prepared an Address accordingly, which he was directed to submit to the House whenever it should be pleased to receive the same.

Ordered, That the Report be received.

And he read the Report in his place, and then delivered the same to Mr. Speaker, and is as follows.

To His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada and Lieutenant General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada, &c.

May it please Your Excellency,

We His Majesty's most dutiful and loyal subjects, the Commoners of Upper Canada in Parliament assembled, respectfully approach Your Excellency to return our thanks for Your Excellency's Speech, and to congratulate sincerely with Your Excellency on the signature of the preliminary Articles of Peace between our Parent Kingdom and the French Republic, an event which we doubt not will soon be succeeded by a definite and general Treaty of Peace.

And while as men we feelingly rejoice in the common happiness of Europe on its deliverance from the calamities of war, as Britons we warmly exult in the honest pride of reflecting that the general felicity has, under Divine Providence, been acquired by the particular valor and achievement of the British Arms. Nor can we refrain from mingling with those sentiments of satisfaction participated in common with all our fellow subjects, others in their origin more particularly confined to ourselves. We are happy to see the presence of Your Excellency restore once more to the Government of this Province animation and the exercise of its indispensable functions.

We shall contribute our best endeavors to keep open the means of converting equitable titles to land into legal estates; and shall be unremitting in our solicitude to render hemp a staple export from this Province. Nor shall any unforeseen accident or embarrassment (for such are inseparable generally from all new undertakings) which upon common occasions, or in pursuit of an ordinary object might abate our zeal or put a period to our progress, divert or intercept in this instance our resolution from its purpose.

We understand with pleasure that the Provincial Revenue is likely to benefit so considerably by the duties upon importations from the United States of America, and shall bestow proper attention upon the usual accounts when submitted to our consideration.

We heartily join in Your Excellency's pious reflections upon the debt of gratitude which we owe to the bounty of Providence, and shall fervently study to merit its further protection by a devout observance of the practice of piety, morality, and loyalty recommended to us by Your Excellency.

Commons House of Assembly,

York, 31st May, 1802.

Mr. Sheriff Macdonell moved, seconded by Mr. Ferguson, that this House do now form itself into a Committee to take into consideration the draught of an Address in answer to His Excellency the Lieutenant Governor's speech.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Ferguson was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Ferguson reported the draught of the Address as read without any amendment, which report was accepted.

Ordered, That the Address be engrossed.

Then Mr. Nelles moved, seconded by Mr. Thompson, that Mr. Weager and Mr. McCrae be a Committee to wait upon His Excellency the Lieutenant Governor, to know when it will be his pleasure to receive this House with their Address in answer to his Speech.

Ordered accordingly.

Mr. Sheriff Macdonell moved, seconded by Mr. Macdonell of York, that Mr. Ferguson be added to the Committee to wait on His Excellency the Lieutenant Governor to request to know when he will be pleased to receive the Address of this House in answer to his Speech.

It was so ordered.

Mr. Macdonell of Glengarry moved, seconded by Mr. Weager, that a Committee of five members be named to consider of digest, and from time to time to report to the House for approbation such rules for its government as may appear expedient in addition to those already framed.

Ordered accordingly.

Then Mr. McCrae moved, seconded by Mr. Macdonell of York, that the names for the Committee be not filled up until the ninth day of June.

It was ordered accordingly.

On the motion of Mr. Weager, seconded by Mr. Thompson, the House adjourned.

Tuesday, 1st. June, 1802.

Prayers were read.

Mr. Ferguson, from the Committee who waited upon His Excellency the Lieutenant Governor to know when he would receive the House with its address reported that His Excellency was pleased to appoint this day at twelve o'clock to receive the House.

Mr. Ferguson moved, seconded by Mr. Macdonell of York, for leave to bring in on Saturday next a Bill, for the better ascertaining the titles to lands in this Province.

Leave was granted.

Mr. Nelles moved for leave to bring up the Petition of James Clark, Esquire, which was granted and the said petition was ordered to lie on the Table.

Mr. Macdonell of York moved, seconded by Mr. Nelles, for leave to bring in on Saturday next a Bill for regulating more equally the service of jurors, and for the better defining of special juries.

And leave was granted.

Mr. Washburn moved, seconded by Mr. Weager, for leave to bring in to-morrow a Bill to amend certain parts of an Act passed in the thirty third year of His Majesty's Reign entitled "An Act to regulate the laying out and keeping in repair the Public Highways, and Roads within this Province.

Which was carried in the negative.

Mr. Macdonell of Glengarry moved, seconded by Mr. Sheriff Macdonell, for leave to lay before the House a petition from the County of Glengarry praying that a Fair may be established in that County.

Leave was granted.

Mr. Washburn moved, seconded by Mr. Weager, for leave to bring in to-morrow a Bill to regulate the power and duty to be vested in the Poundkeepers within this Province.

Granted accordingly.

Mr. Washburn moved, seconded by Mr. Weager, for leave to bring in on Saturday next a Bill to amend certain parts of an Act passed in the forty first year of His Majesty's Reign entitled "An Act to authorize the Governor, Lieut. Governor or person administering the Government, to appoint Inspectors of flour, Pot and Pearl Ashes within this Province.

Leave was granted.

Mr. Washburn, seconded by Mr. Weager, moved for leave to bring in a Bill on Saturday next to amend certain parts of an Act passed in the thirty fourth and thirty sixth years of His Majesty's Reign respecting the payment for Shop and Tavern Licenses within this Province.

The same was carried in the negative.

At the hour appointed Mr. Speaker and the House went up with the Address of this House to His Excellency the Lieutenant Governor.

And being returned Mr. Speaker reported that the House had attended upon His Excellency with its Address, to which His Excellency had been pleased to return the following answer:

Gentlemen of the House of Assembly:—

I thank you for your dutiful and loyal Address. The sentiments which you express respecting our parent State and this Province, while they afford me the sincerest pleasure and satisfaction, reflect the highest honour on yourselves.

Then Mr. Speaker adjourned the House for want of a quorum.

Wednesday, 2nd June 1802.

Prayers were read.

Mr. Washburn informed Mr. Speaker that Mr. Thompson, a Member of this House, was so unwell that he could not at present attend his duty in this House.

Mr. Macdonell of Glengarry moved, seconded by Mr. Solr. General, for leave to bring in on Monday next a Bill to abate the Public Nuisance of suffering swine to run at large within the town of York.

Leave was accordingly given.

According to the Order of the Day Mr. Washburn brought in a Bill entitled "An Act the better to ascertain the power of the Poundkeepers," which was read the first time.

Mr. Washburn moved, seconded by Mr. Solr. General, that the Bill to ascertain the power of the Poundkeepers be read a second time to-morrow.

It was ordered accordingly.

On the motion of Mr. Nelles, seconded by Mr. Weager, the House adjourned.

Thursday, 3rd. June 1802.

Prayers were read.

Mr. Speaker laid before the House a certified copy of an Act for the more uniform laying of assessments and rates throughout this Province, which had been reserved for the signification of His Majesty's pleasure thereupon the last session of the second Parliament holden in the summer 1800, which he had procured by desire of the House for their use.

Mr. Ferguson moved, seconded by Mr. Weager, for leave to lay before this House on Saturday next a Petition from the inhabitants of the Township of Ameliasburgh in the Midland District, praying to have redressed certain grievances therein stated.

Leave was accordingly granted.

Then Mr. Macdonell of York moved, seconded by Mr. Nelles, That this House do resolve itself into a Committee on Monday next to take into consideration the state of the roads throughout this Province, and to devise the most efficacious means of improving their present condition and keeping them in repair for the future.

It was resolved accordingly.

The petition of James Clerk, Esquire, was read by the Clerk and is as follows.

To His Excellency Peter Hunter Esq. Lieutenant General Commanding His Majesty's Forces in Upper and Lower Canada, and Lieutenant Governor of His Majesty's Province of Upper Canada.

To the Honorable the Legislative Council and the Honorable the House of Assembly of the said Province in Parliament assembled.

The petition of James Clerk Esquire, Sheriff of the District of Niagara,
Most Respectfully Sheweth,

That your petitioner having the honor to bear the appointment of Sheriff for the District of Niagara, one of the most populous and the most adjacent to the territory of the United States of America, in consequence whereof is subject to great trouble and risk of office.

That your Petitioner has ever since his appointment executed the duties of the said office to the best of his ability with attention and propriety without salary whatsoever.

That your Petitioner humbly begs leave to represent that he has been at very great outlay in the District as well in preparation for as in having some criminals executed, and in several other respects without any remuneration, and that his liability is the greater from the difficulty he experiences in obtaining persons necessary to assist him in the execution of the duties of his office, more particularly that of Gaoler, whose salary as your Petitioner humbly conceives is very inadequate to the charge.

Your Petitioner therefore humbly submits his case to the consideration of the Legislature, and prays that he may be allowed such salary as in the wisdom of Parliament may be thought reasonable and competent.

And your Petitioner as in duty bound will ever pray.

York 25th May 1802.

The petition of upwards of three hundred Freeholders of the County of Glengarry was read, praying that a Fair may be established within the said County and is as follows.

To the Representatives of the Province of Upper Canada in Provincial Parliament assembled.

The petition of sundry Inhabitants of the County of Glengarry, Eastern District,

Humbly Sheweth,

That in the present state of the Country your petitioners experience many inconveniences from the want of a Market for several articles of produce which will hardly bear the expense of transportation to Lower Canada where similar articles are already abundant, and the markets are supplied with one half of the expense to the farmer that will unavoidably be incurred by persons from this quarter.

That young as this country is it now yields some few superfluities which might be turned to greater advantage by being sold or bartered within itself than by being disposed of even at a higher price in the Lower Province, considering the loss of time consequent upon going thither, and the perpetual drain of money which the country suffers by depending solely upon the Montreal Market,

That in order to remedy these inconveniences and disadvantages your petitioners conceive that a Fair established at Sir John Johnson's Mills in this County in the months of May and October, or of June and October, (as may be deemed most convenient or agreeable) would be of essential service to the community, as in a growing country emigrants and others may there be supplied with many necessaries which the vicinity can furnish and the old inhabitants may find it a sort of convenient exchange for bartering with one another cattle, horses, sheep, leather, wool, yarn, butter, sugar, homespun cloth, linen and such other articles as they can spare a little of at present, and hope to have more in process of time.

That though your Petitioners must depend upon the Montreal Market for articles of luxury and a few others, yet they flatter themselves that in a short time they can furnish a surplus of the most of the necessaries of life within themselves, and that the establishment of an internal market would be a spur to industry, and emulation to every individual, and may in time turn the course of exchange in such articles from the Lower to the Upper Province, as the Inhabitants do already excel the Lower Canadians in the home manufacture, and hope to outrival them still more as their means and experience increase.

Under these impressions your Petitioners are encouraged to submit to your wisdom whether the scheme of a Fair may not be contemplated as an object of some magnitude to the Inhabitants of this County, and to hope that it will meet with your countenance and approbation.

And your Petitioners as in duty bound will ever pray &c.

Mr. Macdonell of Glengarry moved, seconded by Mr. Sheriff Macdonell, that this House do now resolve itself into Committee to take into consideration the prayer of this Petition.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. McCrae was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. McCrae reported that it was the opinion of the Committee that the further consideration of the petition praying for a Fair being established within the County of Glengarry be postponed for three months.

Which Report was accepted, and ordered accordingly.

Mr. Nelles moved, seconded by Mr. Solicitor General, that the petition of James Clark Esq. be taken into consideration on Tuesday next.

It was ordered accordingly.

Read a second time, the Bill giving power to the Poundkeepers within this Province.

Mr. Washburn then moved, seconded by Mr. Solicitor General, That this House do now resolve itself into Committee on the said Bill.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Sheriff Macdonell was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Sheriff Macdonell reported a progress, and was directed to ask leave to sit again.

Upon which Mr. Washburn moved, seconded by Mr. Thompson, That the Committee do sit again on Monday next.

Ordered accordingly.

On motion of Mr. Nelles, seconded by Mr. Ferguson, the House adjourned until Saturday next.

Saturday 5th. June 1802.

Prayers were read.

At eleven o'clock in the forenoon Mr. Speaker adjourned the House for want of a quorum.

Monday 7th. June 1802.

Prayers were read.

Mr. Sheriff Macdonell moved, seconded by Mr. McCrae, for leave to bring in on Thursday next a Bill to enable the Governor, Lieutenant Governor, or person administering the Government for the time being to establish Post Houses for the accommodation of travellers, and granting encouragement to the keepers of the same.

Leave was granted.

Mr. Angus Macdonell of Glengarry, seconded by Mr. Sheriff Macdonell, moved for leave to withdraw the petition from sundry Freeholders of the County of Glengarry &c.

Granted accordingly.

Then Mr. Washburn moved, seconded by Mr. Nelles, for leave to postpone the bringing in the Bill for the amendment of the flour inspection Bill until Wednesday next.

Ordered accordingly.

Mr. Macdonell of York, seconded by Mr. Nelles, moved for leave to bring in on Thursday a Bill for the laying more equally of assessments and rates.

Leave was granted.

Agreeable to the Order of the Day the Clerk read the petition of sundry Inhabitants of the Township of Ameliasburgh in the County of Prince Edward, and is as follows.

To the Honorable the Legislative Council and the Members of the House of Assembly of His Majesty's Province of Upper Canada in Parliament assembled.

The petition of the undersigned Inhabitants of the Township of Ameliasburgh in the County of Prince Edward and Province aforesaid,

Humbly Sheweth,

That Your petitioners are in the uppermost part of the County of Prince Edward Island, and being part of the Militia thereof are obliged to attend the general meetings of the County at the distance of from thirty-five to forty miles from their homes, which causes them at times to be absent several days.

That Your Petitioners humbly pray Your Honors will be pleased to take such steps to remedy this grievance by either praying His Excellency the Lieutenant Governor to form an independent Company in the said Township, or attaching them to the Militia of the neighbouring County of Hastings which is opposite, or such other means as in his or your judgment you will deem meet.

And Your Petitioners as in duty bound will ever pray.

The Speaker informed the House that he had received a note from Mr. Ferguson, stating his indisposition, and praying the indulgence of this House for not having brought in according to the Order of the Day a Bill for securing titles to lands in this Province.

On which Mr. Macdonell of York, seconded by Mr. Swayzie moved that so much of the Order of the Day as relates to the leave granted for bringing in this way a Bill for ascertaining and securing titles to land be discharged, and that leave be given to bring in the same on Thursday.

It was ordered accordingly.

Read the first time, a Bill for regulating more equally the service of Jurors.

Ordered, That the said Bill be read a second time to-morrow.

According to the Order of the Day was read the first time a Bill to prevent swine from running at large in the Town of York.

Then Mr. Macdonell of Glengarry moved, seconded by Mr. Sheriff Macdonell, that the said Bill be read a second time to-morrow.

Which was carried in the negative.

Agreeable to the Order of the Day the House resolved itself into Committee on the Bill for giving power to the Pound Keeper.

Mr. Speaker left the Chair.

Mr. Sheriff Macdonell was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Sheriff Macdonell reported a progress, and was directed to ask for leave to sit again.

Leave was accordingly granted.

According to the Order of the Day, the House resolved itself into Committee to take into consideration the state of the roads throughout this Province.

Mr. Speaker left the Chair.

Mr. Beasley was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Beasley reported a progress, and asked for leave to sit again.

Leave was granted.

And then on motion of Mr. Beasley, seconded by Mr. Macdonell of Glengarry, the House adjourned.

Tuesday, 8th. June 1802.

Prayers were read.

Mr. Sheriff Macdonell moved for leave, seconded by Mr. Solicitor General, to bring up the Petition of Thomas Fraser, Esquire, Sheriff of the District of Johnstown.

Leave was granted.

Mr. Macdonell of York, seconded by Mr. Beasley, moved for leave to bring in the Petition of the inhabitants of York.

And leave was accordingly granted.

Mr. Solicitor General, seconded by Mr. Thompson, moved for leave to bring in a Bill for the more easy recovery of debts, on Monday next.

It was granted accordingly.

Mr. Macdonell of York moved, seconded by Mr. Swayzie, that a Committee be appointed to inquire into the fees taken by the Attorneys and Officers of the Courts of Judicature and Quarter Sessions and to report thereon.

Leave was granted accordingly.

A Bill for regulating more equally the service of Jurors was read for the second time.

On motion of Mr. Macdonell of York, seconded by Mr. Sherwood, the House resolved itself into Committee on the said Bill.

Mr. Speaker left the Chair.

Mr. Beasley was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Beasley reported a progress and asked for leave to sit again tomorrow.

Ordered, that the Committee have leave to sit again to-morrow.

Mr. Clench moved, seconded by Mr. Nelles, that Messrs. Macdonell of York, Sherwood, Swayzie, McCrae and Beasley do constitute the Special Committee to sit and inquire into the fees taken by the Attorneys and Officers of the Courts of Judicature and Quarter Sessions and to report thereon.

On motion of Mr. Beasley, seconded by Mr. Nelles, the House adjourned.

Wednesday, 9th. June, 1802.

Prayers were read.

Mr. Swayzie, seconded by Mr. Thompson, moved for leave to bring up three Petitions from the Religious Community called Methodists.

Leave was granted, and the said Petitions were ordered to lie on the Table.

Mr. Nelles moved, seconded by Mr. Swayzie, that the consideration of the Petition of James Clark, Esquire, be postponed until to-morrow, a Petition of the same nature being then to come before the House.

It was ordered accordingly.

On motion of Mr. Washburn, seconded by Mr. Weager,—That the House do now resolve itself into a Committee to take into further consideration the Bill to ascertain the power of the Pound Keepers,—

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Sheriff Macdonell was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Sheriff Macdonell reported that the Committee had gone through the Bill and had made some amendments thereunto, which he had been directed to report to the House whenever it shall please to receive the same.

Ordered, That the report be now received.

Then Mr. Sherwood moved, seconded by Mr. Nelles, that the Bill as now amended be engrossed, and read a third time to-morrow.

Upon which Mr. Macdonell of York moved, seconded by Mr. Ferguson, in amendment, that after the words "of this Bill" be inserted "that the same Bill be remitted to-morrow."

Which was carried in the affirmative, and was ordered accordingly.

Mr. Birkie, from the Inspector General's office, attended at the Bar by order of His Excellency the Lieutenant Governor, and presented the Public Accounts as per schedule, which are as follows.

No. 1, Account stating the unappropriated sum in the hands of Peter Russell, Esquire, Receiver General, on the 27th. of May, 1801; for duties collected under Acts for the Provincial Parliament.

No. 2, General account of goods imported from the United States under Acts of the Provincial Parliament, for which the duties have been collected and secured between the 1st. of July and 31st. March, 1801, and expense attending the collection thereof.

No. 3, Account of cash received by Peter Russell, Esquire, Receiver General, of duties on sundry goods, wares and merchandise, under the Acts of the Provincial Parliament of the 33rd., 34th., 35th. and 41st. of His Majesty, between the 27th. May, 1801, and 28th. May, 1802.

No. 4, General account of articles liable to duty by Acts of the Legislature, that have passed Coteau du Lac upwards between 1st. January and 31st. December, 1801.

No. 5, Account of duties collected on Shop, Tavern, and Still Licenses, under Acts of the Provincial Parliament of the 33rd. and 34th. of His Majesty's Reign, between the 5th. April, 1801, and 5th. April, 1802.

A & C. Names of persons who have taken out Shop, Tavern and Still Licenses under the Acts of the Provincial Parliament of the 33rd. and 34th. of His Majesty between the 5th. April, 1801, and 5th. April, 1802.

No. 6, Abstracts of Warrants granted by His Excellency Peter Hunter, Lieutenant General, Lieutenant Governor, on Peter Russell, Esquire, Receiver General in payment of the salaries of the Officers of the Legislative Council and House of Assembly and of the contingent expenses thereof and for encouraging the culture and exportation of hemp.

No. 7, Statement showing the duties under Acts of the Provincial Parliament of the 33rd., 34th., 35th. and 41st. of the King, including the sum unappropriated on the 27th. May, 1801, deducting the expense of collection with the sum collected under bond not paid to the Receiver General.

No. 8, Account of cash received by Peter Russell, Esquire, Receiver General, for duties on imports into Lower Canada under an Act of the Provincial Parliament of the 41st. of His Majesty.

York, 28th. May, 1802.

John McGill,
Insp'r Gen. Prov'l. Acc'ts.

(Schedule Appendix A)

Mr. Sheriff Macdonell moved, seconded by Mr. Ferguson, that the Speaker be authorized to appoint a Messenger to attend this House during its session.

A division ensued, and the names being called for were taken down and are as follows:

YEAS.	NAYS.
MESSRS. SHERIFF MACDONELL	MESSRS. McCRAE
MACDONELL (York)	CLENCH
FERGUSON	SWAYZIE
MACDONELL (Glengarry)	WASHBURN
	BEASLEY
	WEAGER
	NELLES
	SOL'R GEN.
	THOMPSON
	SHERWOOD
	ELLIOTT

The same was negatived by a majority of seven.

Read for the first time the Bill to amend the Bill for the inspection of Flour, &c.

Mr. Washburn moved, seconded by Mr. Weager, that the said Bill be read a second time to-morrow.

Then Mr. Clench moved, seconded by Mr. Ferguson, that the Bill for the inspection of flour be read this day three months. A division thereupon took place, and the names being called for, were taken down and are as follows.

YEAS.

MESSRS. SHERIFF MACDONELL
ELIOTT
FERGUSON
MACDONELL (Glengarry)
NELLES
BEASLEY
MACDONELL (York)
SWAYZIE
CLENCH

NAYS.

MESSRS. McCRAE
WASHBURN
WEAGER
SOL'R GEN.
THOMPSON
SHERWOOD

The same was carried in the affirmative by a majority of three.

The House resolved itself into Committee on the Jurors' Bill agreeably to the Order of the Day.

Mr. Speaker left the Chair.

Mr. Beasley was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Beasley reported the Bill as amended in the Committee, which he read in his place.

Upon which Mr. Macdonell of York, seconded by Mr. Sherwood, moved that the exceptions as to the Midland District and the Districts of Niagara and London be struck out of the Bill as amended, and that the rotation of service of Jurors do extend to the Province at large.

The same was carried in the negative.

Then the report was accepted and approved of, and the said Bill was ordered to be engrossed for to-morrow.

Mr. Clench, seconded by Mr. Swayzie, moved that Messrs. Macdonell of York, Ferguson and Beasley be a special Committee to draw up such rules and regulations for this House in addition to those already passed as they think necessary and proper.

On motion of Mr. Ferguson, seconded by Captain Elliott, the House adjourned.

Thursday, 10th. June, 1802.

Mr. Clench moved, seconded by Mr. Swayzie, for leave to bring in on to-morrow a Bill to give relief to the society of people called Methodists within this Province.

Leave was granted.

Mr. Sheriff Macdonell, agreeable to leave given, presented a Bill to enable the Governor, Lieutenant Governor, or person administering the Government for the time being, to establish Post Houses throughout this Province, which was read for the first time.

Ordered, That the said Bill be read a second time to-morrow.

Agreeable to the Order of the Day, Mr. Ferguson brought in a Bill for the better ascertaining and securing the titles of lands in this Province, which Bill was read for the first time.

On motion of Mr. Ferguson, seconded by Captain Elliott,

Ordered, that the said Bill be read a second time on Tuesday next.

Mr. Angus Macdonell of York, agreeable to leave obtained, brought in a Bill for the laying more equally assessments and rates, which was read for the first time.

Ordered, That the said Bill be read a second time on Tuesday next.

Mr. Macdonell of York, seconded by Mr. Clinch, moved that the title of the Bill be "An Act for regulating more equally the service of Jurors, and for repealing such restrictions as have been laid by certain Acts of the Parliament of this Province on the nomination of persons to serve as Special Jurors."

Ordered accordingly. And the said Bill was read a third time, passed and signed by Mr. Speaker.

Ordered, That Messrs. Macdonell of York, Nelles and McCrae, do carry the Bill to the Legislative Council, and desire their concurrence.

The House agreeable to the Order of the Day resolved itself into Committee on the Bill granting power to the Poundkeeper.

Mr. Speaker left the Chair.

Mr. Sheriff Macdonell retook the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Sheriff Macdonell reported that the Committee had gone through the consideration of the said Bill and had made some amendments thereat, which he was ordered to report whenever the House would be pleased to receive the same.

Which Report was accepted, and the said Bill was ordered to be engrossed and read a third time to-morrow.

On motion of Mr. Macdonell of York, seconded by Mr. Sherwood, the House resolved itself into Committee on the petition of James Clark, and Thomas Fraser, Esquires, Sheriffs, praying for salaries.

Mr. Speaker left the Chair.

Capt. Elliott was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Capt. Elliott reported a progress and was directed to ask leave to sit again.

Leave was accordingly granted.

According to the Order of the Day was read the Petition of sundry Inhabitants of the Town of York, praying for a market to be established in the said Town.

Then on motion of Mr. Clench, seconded by Mr. Swayzie,

Ordered, That the prayer of the said petition be read this day three months.

Ordered accordingly.

On motion of Mr. Washburn, seconded by Mr. Swayzie, the House adjourned.

Friday 11th. June 1802.

Prayers were read.

Mr. Macdonell of York, seconded by Mr. Nelles, moved for leave to bring in on Tuesday next a Bill to amend a certain Act passed in the fortieth year of His Majesty's Reign entitled "An Act for the more summary conviction of persons selling spirituous liquors without license."

Leave was given.

On motion of Mr. Macdonell of York, seconded by Mr. Swayzie, leave was given to bring in on Monday next a Bill for licensing Hawkers, Pedlers and petty Chapmen.

Agreeable to the Order of the Day,

Read three Petitions from the Society of people called Methodists, which three petitions are nearly as follows.

To the Honorable the Commons House of
Assembly for the Province of Upper Canada in Session assembled.

The petition of the Religious Community called Methodists

Humbly Sheweth,

That the Methodists' Churches or Congregations in this infant Province of Upper Canada are numerous and a large number of the principal members are of those people called U. E. Loyalists or their descendants, having fled from their former homes or habitations and joined the Royal British Standard, to which they have since firmly adhered, and in whose defence, should the necessity of the case require it, your petitioners trust their loyalty in the defence of the rights of the best of Sovereigns would be as conspicuous as it heretofore has been, well assured that none would be readier to risk their lives and properties in the defence of the Government than those belonging to the Methodists' Societies.

Your Petitioners being liable to all the Statutes, duties, services, pains and penalties with those of other religions in the Province, and have not an equal participation with them in their religious rights which we Your Petitioners think a great grievance, have therefore presumed to solicit Your Honorable House, amongst whom we know there are men well acquainted with our religious tenets, and know our sufferings. We Your Petitioners have not the least doubt from the liberality of your House but that every step will be taken and everything done for us that can consistently with our glorious constitution.

We Your Petitioners therefore humbly pray that an Act may be passed in our favour giving authority to our Preachers (most of whom are Missionaries from the States) to solemnize the religious rites of marriage as well as to confirm all past marriages performed by them. This requisition we Your Petitioners pray may be taken into your serious consideration, and we trust our request will appear so reasonable that opposition will lay down his head, whilst ease is given to the minds and consciences of a numerous body of the Inhabitants of this Province, and who are not the least numerous sect in the different Districts of Upper Canada.

And Your Petitioners will then as now, and shall as in duty bound ever pray.

Then Mr. Clench moved, seconded by Mr. Rogers, That the Order of the Day respecting the leave granted to bring in a Bill this day to give relief to the Society of people called Methodists be discharged, and leave be given to bring in the same to-morrow.

Ordered accordingly.

Mr. Rogers, seconded by Mr. Ferguson moved, That the Order of the Day for the third reading of the Bill for ascertaining the duty of Poundkeepers be discharged, and that the said Bill be recommitted.

The House being divided Mr. Speaker gave his vote for the Bill being recommitted.

Mr. Speaker left the Chair.

Mr. Sheriff Macdonell was again called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Sheriff Macdonell reported that the Committee had gone through the consideration of the Bill for granting power to the Poundkeepers, to which they had made some amendments, which he was desired to report whenever the House would be pleased to receive the same.

Ordered, That the report be now received.

Then Mr. Washburn moved, seconded by Mr. Weager, that the Bill be engrossed and read a third time to-morrow.

Ordered accordingly.

Mr. Macdonell of York, first named to carry up to the Legislative Council the Bill entitled "An Act for regulating more equally the service of Juries in this Province," reported that they had carried up the said Bill and requested their concurrence.

A Bill to regulate Post Houses in this Province was read a second time.

Then, on motion of Mr. Sheriff Macdonell, seconded by Mr. Macdonell of Glengarry, the House resolved itself into Committee.

Mr. Speaker left the Chair.

Mr. Solicitor General was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Solicitor General reported, that the Committee had gone through the consideration of the said Bill, to which they had made some amendments.

Which Report was accepted.

Then, on motion of Mr. Sheriff Macdonell, seconded by Mr. Swayzie,

Ordered, That the said Bill be engrossed and read the third time to-morrow.

On motion of Mr. Solicitor General, seconded by Mr. Nelles, the House adjourned.

Saturday, 12th. June, 1802.

Prayers were read.

Mr. Macdonell of York, seconded by Mr. Clench, moved for leave to bring in on Tuesday next a Bill to facilitate the means of obtaining process of outlawry.

Leave was granted.

Mr. Macdonell of York, seconded by Mr. Rogers, moved for leave to bring in on Tuesday next a Bill to restrain defendants from pleading joint obligation or undertaking in abatement unless a special affidavit of merits be annexed.

Leave was accordingly granted.

Then Mr. Rogers moved, seconded by Mr. Macdonell of York, that the Order of the Day for the third reading of the Pound Bill be discharged, and that the said Bill be recommitted on Monday.

Which was carried in the negative.

Agreeable to the Order of the Day Mr. Speaker put the question for the third reading of the Bill giving power to the Poundkeepers throughout this Province. A Division thereupon took place, and the same passed in the negative.

Then Mr. Macdonell of York moved, seconded by Mr. Swayzie, that the said Bill be recommitted this Day.

On which Mr. Ferguson moved, seconded by Capt. Elliott, that an amendment be made to the motion as moved by Mr. Macdonell of York, and that the Bill be recommitted, and taken into consideration on Tuesday next.

The House divided upon the question, and it passed in the negative.

And the main question being then put the House again divided, and on the same being carried in the affirmative the House resolved itself into Committee on the said Bill.

Mr. Speaker left the Chair.

Mr. Sheriff Macdonell took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Sheriff Macdonell reported that the Committee had gone through the consideration of the said Bill, and desired him to report the same without any amendments.

Which Report was accepted.

On motion of Mr. Sherwood, seconded by Mr. Washburn, The Bill was read a third time, passed and signed by Mr. Speaker.

Mr. Ferguson moved, seconded by Mr. Rogers, that Mr. Sherwood, Mr. Solicitor General and Mr. Weager be a Committee to carry this Bill to the Honorable the Legislative Council and request their concurrence therein.

Then Mr. Sherwood, seconded by Mr. Swayzie, moved that Mr. Washburn, Mr. McCrae and Mr. Nelles be a Committee to carry up this Bill to the Honorable the Legislative Council and to request their concurrence.

The same passed in the negative.

On which the original motion was put, and carried in the affirmative, and was ordered accordingly.

The engrossed Bill for establishing Post Houses throughout this Province was read for the third time.

Then Mr. Sheriff Macdonell moved, seconded by Mr. Macdonell of Glengarry, That this Bill be entitled an Act to authorize the Governor, Lieutenant Governor or person administering the Government for the time being to license certain persons to let and hire post horses and carriages, and to give encouragement to such persons so licensed for such purpose.

Ordered accordingly.

Mr. Clench moved, seconded by Mr. Rogers, that after the words "Government House" the words "from the Government House to Niagara" be inserted.

On which a division took place, and the names were taken down, and were as follows.

YEAS.	NAYS.
MESSRS. WASHBURN	MESSRS. SOLICITOR GEN.
NELLES	MACDONELL (Glen'y)
McCRAE	THOMPSON
ROGERS	SHERIFF MACDONELL
BEASLEY	ELLIOTT
SHERWOOD	FERGUSON
CLENCH	MACDONELL (York)
	WEAGER

So it passed in the negative by a majority of one.

Mr. Macdonell of York moved, seconded by Mr. Weager, that the following rider be annexed. And it be further enacted by the authority aforesaid that in case any stage keeper be not within a reasonable distance in either direction of another licensed stage, that then and in every such case it shall and may be lawful to and for the Governor, Lieutenant Governor, or person administering the Government of this Province for the time being to limit and define in the license granted to such stage keeper the boundaries within which it shall be his duty to forward travellers, and such boundaries shall be the limits of such stage.

Thereupon a division took place, and the names were taken down and are as follows.

YEAS.

MESSRS. MACDONELL (York)
SWAYZIE
CLENCH
THOMPSON
WEAGER

NAYS.

MESSRS. BEASLEY
McCRAE
NELLES
SOL'R GENERAL
WASHBURN
SHERIFF MACDONELL
ELLIOTT
FERGUSON
SHERWOOD
MACDONELL (Glengarry)
ROGERS

The same passed in the negative by a majority of six.

Mr. Speaker put the question shall the Bill now pass?

A Division again took place, and the names were taken down and are as follows.

YEAS.

MESSRS. SHERIFF MACDONELL
SOLICITOR GENERAL
MACDONELL (York)
MACDONELL (Glengarry)
FERGUSON
SWAYZIE
THOMPSON
WASHBURN

NAYS.

MESSRS. SHERWOOD
CLENCH
ROGERS
BEASLEY
WEAGER
NELLES
ELLIOTT
McCRAE

The engrossed Bill passed in the affirmative by a majority of two, and was signed by Mr. Speaker.

Mr. Macdonell of York moved, seconded by Mr. Weager, that Mr. Sheriff Macdonell, Capt. Elliott and Mr. Ferguson be a Committee to bring up the said Bill to the Honorable the Legislative Council, and to request their concurrence in passing the same.

Ordered accordingly.

Read the first time, the Bill for granting religious toleration to the Religious Society called Methodists.

Mr. Clench then moved, seconded by Mr. Swayzie, that the Bill giving relief to the Society of people called Methodists be read a second time on Monday.

Then Mr. Solicitor General, seconded by Mr. Macdonell of Glengarry, moved that the words "on Monday" be struck out of Mr. Clench's motion, and the words "three months" be inserted in their place.

The same passed in the negative.

Then the main question was put and a division thereupon took place and the names were taken down and were as follows.

YEAS.

MESSRS. BEASLEY
WEAGER
MACDONELL (York)
McCRAE
SWAYZIE
CLENCH
ROGERS
SHERWOOD
THOMPSON

NAYS.

MESSRS. FERGUSON
ELLIOTT
SHERIFF MACDONELL
MACDONELL (Glengarry)
SOLICITOR GENERAL

The same was carried by a majority of five, and ordered accordingly.

Mr. Solicitor General, seconded by Mr. Weager, moved for leave to bring in on Monday next a Bill to enable the Governor, Lieutenant Governor, or person administering the Government for the time being, to establish more places or ports of entry in this Province, and to appoint Collectors at the same.

Leave was accordingly granted.

On motion of Mr. Swayzie, seconded by Mr. McCrae, the House adjourned until Monday next.

Monday, 14th. June, 1802.

Prayers were read.

Mr. Macdonell of York, seconded by Mr. Solicitor General, moved for leave to bring in on Thursday a Bill to authorize for a limited time the Justices of His Majesty's Court of King's Bench to nominate and appoint fit and discreet persons to act as Attornies at Law in certain Districts.

The same passed in the negative.

On the motion of Mr. Thompson, seconded by Mr. Washburn, for leave to bring in a Bill on to-morrow entitled "An Act to ascertain and establish on a permanent footing the boundary line of the Townships of this Province."

Leave was granted.

Mr. Macdonell of York, seconded by Mr. Swayzie, moved for leave to bring in a Bill to amend an Act passed in the forty first year of His Majesty's Reign entitled "An Act for granting to His Majesty, His Heirs and Successors, to and for the uses of this Province, the like duties on goods and merchandize brought into this Province from the United States of America as are now paid on goods and merchandize imported from Great Britain and other places.

It was granted accordingly.

Mr. Clench, seconded by Mr. Beasley, moved for leave to bring in a Bill to declare the powers of the Commissioners of the Courts of Requests within this Province on to-morrow.

Leave was granted accordingly.

Mr. Sherwood, seconded by Mr. Rogers, moved for leave to bring in on Tuesday next a Bill to regulate the Statute Labour to be done upon roads and highways throughout this Province.

Leave was accordingly granted.

Read for the first time the Bill to enable the Governor, Lieutenant Governor, or person administering the Government of this Province to declare and appoint by proclamation or otherwise one or more additional port or ports of entry, and clearance.

Then Mr. Solicitor General moved, seconded by Mr. Clench, That the said Bill be read a second time on Wednesday.

Ordered accordingly.

Read for the first time, the Bill for the Recovery of Debts, the said Bill was ordered to be read a second time on Wednesday next.

Read the first time, a Bill to license Hawkers, Pedlars, and Petty Chapmen.

Mr. Rogers moved, seconded by Mr. Swayzie, that the Bill for licensing Hawkers and Pedlars be read a second time on Wednesday.

Ordered accordingly.

According to the Order of the Day, Mr. Speaker put the question for the second reading of the Bill for granting relief to the Religious Society called Methodists. The House being divided, Mr. Speaker gave his vote that the second reading of the Bill be discharged.

Upon which Mr. Sherwood, seconded by Mr. Clench, Moved that the Bill for the relief of the Religious Society of people called Methodists be now read a second time.

The said Bill was read for the second time.

Mr. Rogers, seconded by Mr. Weager, moved that the House do now resolve itself into a Committee to take this Bill into their consideration.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Macdonell of York was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell of York reported the Bill as amended in the Committee.

Ordered, That the report be received.

Then Mr. Clench, seconded by Mr. Rogers, moved that the Bill be engrossed and read a third time on to-morrow.

Which was ordered accordingly.

Mr. Sherwood, seconded by Mr. Clench, moved that so much of the Order of the Day for Tuesday be discharged as directs the second reading of a Bill for the more uniform laying of assessments and rates on that day, and that the same be read a second time to-day.

Ordered accordingly.

Read for the second time, the Bill for the more uniform laying of assessments and rates.

Mr. Rogers, seconded by Mr. Clench, moved that the House do now resolve itself into a Committee to take this Bill into their consideration.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Macdonell of Glengarry was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell of Glengarry reported that the Committee had made some progress in said Bill, and asked leave to sit again.

Granted accordingly.

On motion of Mr. Swayzie, seconded by Mr. Weager, the House adjourned.

Tuesday, 15th. June, 1802.

Mr. Solicitor General by leave brought up the petition of the Honorable Peter Russell, Esquire, and the same was laid on the Table.

Mr. Beasley, seconded by Mr. Clench, moved that leave of absence until Friday next be given to Robert Nelles Esquire.

And leave of absence was accordingly granted.

Mr. Thompson, seconded by Mr. Ferguson, moved that so much of the Order of the Day as relates to the bringing in a Bill entitled "An Act to amend an Act entitled "An Act to ascertain and establish on a permanent footing the Boundary Lines of the different Townships of this Province" be discharged, and that leave be given to bring it on Wednesday.

Upon which, Mr. Rogers moved, seconded by Mr. Sherwood, that all the words after the words "discharged" be struck out of the original motion.

The same passed in the negative.

Then the main question was put and carried in the affirmative and ordered accordingly.

A Bill to declare the authority of the Commissioners of Courts of Requests was read the first time.

On the motion of Mr. Clench, seconded by Mr. Swayzie,

Ordered, That the said Bill be read a second time to-morrow.

The Bill for regulating the Statute Labour to be performed upon the Highway was also read the first time.

And on motion of Mr. Sherwood, seconded by Mr. Clench, was ordered to be read a second time to-morrow.

Read the first time, a Bill to facilitate the means of proceeding to outlawry against absent or absconding debtors.

Then Mr. Macdonell of York, seconded by Mr. Ferguson, moved that the said Bill be read a second time to-morrow.

Upon which the question was put and passed in the negative.

A Bill to amend an Act passed in the fortieth year of His Majesty's Reign entitled "An Act for the summary conviction of persons selling spirituous liquors by retail without license" was then read the first time.

On the motion of Mr. Macdonell of York, seconded by Mr. Clench, it was ordered that the said Bill be read a second time on Thursday.

And then the Bill to restrain defendants from pleading a joint debt or undertaking in abatement unless a special affidavit of merits be annexed thereto, was read the first time.

And on motion of Mr. Macdonell of York, seconded by Mr. Sheriff Macdonell, the same was ordered to be read a second time on Thursday next.

Mr. Sheriff Macdonell, one of the Messengers named to carry up to the Honorable the Legislative Council the Bill for enabling the Governor, Lieutenant Governor. or person administering the Government to license and grant encouragement to stage drivers, reported that they had carried up the said Bill and requested their concurrence in passing the same.

Mr. Sherwood, first named to carry up the Bill to enlarge the authority of Poundkeepers to the Honorable the Legislative Council and to request their concurrence in passing the same, reported that they had carried up the said Bill.

Read for the second time, the Bill for the better ascertaining and securing of titles to land in this Province.

Then Mr. Rogers, seconded by Mr. Swayzie, moved that the House do now resolve itself into Committee to take the said Bill into consideration.

And the House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Rogers was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Rogers reported that the Committee had gone through the consideration of the said Bill without any amendments.

Which report was accepted.

And then Mr. Macdonell of York, seconded by Mr. Thompson, moved that the said Bill be recommitted to-morrow.

After which Mr. Clench, seconded by Mr. Swayzie, moved in amendment that instead of the words "recommitted to-morrow" be inserted "read this day three months."

The motion as amended having been thereupon put, the same passed in the negative.

And the main question having been put, the same was carried in the affirmative, and the said Bill was ordered to be recommitted to-morrow.

The engrossed Bill for granting relief to the Religious Society called Methodists was read a third time.

Ordered, That the title of the said Bill be "An Act further to extend the provisions of an Act passed in the second Session of the first Provincial Parliament of Upper Canada entitled "An Act to confirm and make valid certain marriages heretofore contracted in the country now comprised within the Province of Upper Canada, and to provide for the further solemnization of marriage within the same"

The Bill then passed and was signed by Mr. Speaker.

And then, on motion of Mr. Clench, seconded by Mr. Rogers,

Ordered, That Messrs. Sherwood, Swayzie and Beasley do carry up the said Bill to the Honorable the Legislative Council and request their concurrence in passing the same.

On motion of Mr. Ferguson, seconded by Captain Elliott, the House adjourned.

Wednesday, 16th. June, 1802.

Prayers were read.

Agreeable to the Order of the Day was read for the first time a Bill to amend an Act passed in the forty first year of His Majesty's Reign, entitled "An Act for granting to His Majesty, his Heirs and Successors, to and for the uses of this Province, the like duties on goods and merchandise brought into this Province from the United States of America as are now paid on goods and merchandise imported from Great Britain and other places.

Then on motion of Mr. Macdonell of York, seconded by Mr. Clench,

Ordered, That the said Bill be read a second time on Friday next.

The Bill entitled "An Act to ascertain and establish on a permanent footing the Boundary Lines of the Townships of this Province" was read for the first time.

Then on motion of Mr. Thompson, seconded by Mr. Sherwood,

Ordered, That the said Bill be read a second time to-morrow.

Agreeable to the Order of the Day, was read for the second time the Bill for imposing a tax on Hawkers and Pedlars.

Then Mr. Macdonell of York, seconded by Mr. Clench, moved that the House do now resolve itself into Committee on the said Bill.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Sherwood was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Sherwood reported that the Committee had made some progress and directed him to ask for leave to sit again.

Leave was accordingly granted.

The Bill to amend and explain an Act passed in the thirty third year of His Majesty's Reign entitled "An Act for the more easy and speedy recovery of small debts" was read for the second time.

Then on motion of Mr. Clench, seconded by Mr. Beasley, the House resolved itself into Committee on the said Bill.

Mr. Speaker left the Chair.

Mr. Nelles was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Nelles reported that the Committee had gone through the consideration of the said Bill, and did direct him to report that it was the opinion of the Committee that the further consideration of the said Bill be put off for three months.

Then Mr. Sherwood moved, seconded by Mr. Clench, that the report as now ordered by the Committee be not resolved, and that the said Bill be engrossed and read a third time to-morrow.

A division thereupon took place, and the names were ordered to be taken down, and are as follows.

YEAS.	NAYS.
MESSRS. SHERWOOD	MESSRS. MACDONELL (York)
WASHBURN	WEAGER
BEASLEY	NELLES
McCRAE	ROGERS
CLENCH	SOLICITOR GEN'L.
SWAYZIE	MACDONELL (Glengarry)
	THOMPSON
	SH'FF. MACDONELL
	FERGUSON
	ELLIOTT

The same passed in the negative by a majority of four.

Then the Report was accepted and ordered accordingly.

The Act to regulate the Statute Labour to be done in this Province was read for the second time.

Then on motion of Mr. Rogers, seconded by Mr. Nelles, the House resolved itself into Committee on the said Bill.

Mr. Speaker left the Chair.

Mr. Swayzie was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Swayzie reported that the Committee had gone through the consideration of the Bill and had made some amendments thereto, which Report was accepted.

Then the said Bill was ordered to be engrossed and read a third time tomorrow.

Mr. Solicitor General moved, seconded by Mr. Weager, that so much of the Order for this Day as the House had not taken into their consideration be discharged, and that the same make a part of the Order of the Day to-morrow.

Ordered accordingly.

Then on motion of Mr. Swayzie, seconded by Mr. Weager, the House adjourned.

Thursday, 17th. June, 1802.

Prayers were read.

Mr. Sheriff Macdonell moved, seconded by Mr. Clench, that the Committee appointed to draught Rules for the guidance of this House (in addition to those already adopted) do on to-morrow report what progress they have made therein.

It was ordered accordingly.

Then Mr. Sheriff Macdonell, seconded by Mr. Swayzie, moved that so much of the Order of the Day as directs the Bill entitled "An Act to regulate the Statute Labour to be done on the Highways" to be read a third time this day, be discharged, and that the same be read on Saturday next.

The House being divided, Mr. Speaker gave his vote for the Bills being read a third time on Saturday next.

It was then ordered that the said Bill be read as engrossed on Saturday next.

On motion of Mr. Macdonell of York, seconded by Mr. Sherwood, the House resolved itself into Committee to take up the further consideration of the Bill for laying assessments throughout this Province.

Mr. Speaker left the Chair.

Mr. Macdonell of Glengarry was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell reported that the Committee had gone through the consideration of the said Bill, and had made some amendments thereto which he was directed to report to the House whenever they shall be pleased to receive the same.

The House resolved that the said Report be now accepted, and Ordered that the said Bill as amended be engrossed and read a third time on Saturday next.

The Bill to enable the Governor, Lieutenant Governor, or person administering the Government for the time being to establish places or ports of entry in this Province, was read for the second time.

On motion of Mr. Solicitor General, seconded by Mr. Macdonell, the House resolved itself into Committee to go into the further consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Thompson was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Thompson reported that the Committee had gone through the consideration of the said Bill and had made some amendments thereto, which he was desired to report.

The said Report was accepted, and the Bill was ordered to be engrossed as amended and read the third time to-morrow.

By Order of the House the Petition of the Honorable Peter Russell, Esquire, was read, and is as follows.

To the Honorable the Speaker and the Members of the House of Assembly of Upper Canada in Provincial Parliament assembled.

The Petition of Peter Russell, Esquire, Receiver General.

Humbly Sheweth,

That the Legislature of this Province having been pleased to direct that the monies arising from duties payable under Acts of the Parliament of this Province shall be paid into the hands of His Majesty's Receiver General as Treasurer for the time being, and applied by him for the purposes therein set forth,

And clauses having been inserted in certain of the said Acts making it lawful for the said Receiver General to deduct from and out of the several sums by him received Three Pounds for every hundred Pounds that may be raised, levied, collected, and paid by virtue thereof, and the Legislature having been further pleased by an Act passed in the fourth Session of the first Parliament of this Province, to empower the Receiver General for the time being to appoint an Attorney to act for him in Lower Canada in receiving and in granting sufficient receipts and discharges for all sums of money that may become due or payable from the Province of Lower Canada to this Province &c. Your Petitioner has hitherto conceived himself to be fully authorized to charge three per cent against all monies that have come into his hands by virtue of Acts of the Parliament of this Province, and that having regularly paid half per cent (being the lowest he could get the business done for with safety to himself) to his Attorney or Agent, Mr. John Grey of Montreal, for receiving from the Receiver General of Lower Canada, and discharging the Lieutenant Governor's Warrants to him for this Province's annual proportions of the duties collected on imports and remitting the money to Your Petitioner or answering his bills for the same. Your Petitioner has constantly inserted in his General Account Current, annually presented to the Parliament, a charge of one half per cent. for his said Agent on the duties received by him from the Province of Lower Canada, which charge has been hitherto admitted by the Honorable House in their Committees on accounts, and his reasons for making it declared to be satisfactory, as signified by Order to Your Petitioner in a letter from your Clerk in the Session of 1799.

But it having been intimated to your Petitioner by the Inspector General of the Provincial Accounts that the charge of one half per cent for his agent in Lower Canada cannot with propriety be allowed unless sanctioned by Parliament, and that he doubts whether, under the present Act, the allowance of three per cent to the Receiver General can be extended to all Provincial moneys received by him. Your Petitioner humbly implores the Honorable House of Assembly to take his case into consideration and to adopt such measures as it may judge meet for the purpose of rendering it lawful for His Majesty's Receiver General to deduct three per cent from all duties and other moneys which have or may come into his hands by virtue of Acts of the Parliament of this Province; and also to deduct from the moneys that have been, are, or may become due and payable from the Province of Lower Canada to this Province, the sum of ten shillings for every hundred Pounds thereof as a remuneration to his agent in Lower Canada for his trouble in receiving and remitting the said moneys.

And your Petitioner as in duty bound will ever pray.

Peter Russell.

York, 14th. June, 1802.

Then Mr. Solicitor General moved, seconded by Mr. Rogers, that the House do take the said Petition into their consideration on Saturday next.

It was ordered accordingly.

Mr. Macdonell of York moved, seconded by Mr. Macdonell of Glengarry, that so much of the Order for this Day as the House had not taken into their consideration be discharged, and that the same make a part of the Order of the Day for to-morrow.

Ordered accordingly.

On motion of Mr. Swayzie, seconded by Mr. Nelles, the House adjourned.

Friday, 18th. June, 1802.

Prayers were read.

On motion of Mr. Clench, seconded by Mr. Macdonell of York, he obtained leave to bring up the Petition of the Magistrates and Grand Jurors of the District of London.

The same was ordered to lie on the Table.

Mr. Clench, seconded by Mr. Beasley, moved for leave to bring in to-morrow a Bill to obviate certain doubts respecting the Jurisdiction of the Courts of Requests within this Province.

Leave was accordingly granted.

Then Mr. Macdonell of York, seconded by Mr. Swayzie, moved for leave to bring in on to-morrow a Bill for appropriating a certain sum of money to make good the loan of last year.

It was granted accordingly.

Mr. Macdonell, Member for York, gave notice that he intends to-morrow to move for an Address to His Excellency the Lieutenant Governor praying that it may please His Excellency to institute a Board in this Province for encouraging the growing, dressing, and exporting of hemp upon principles analogous to and established in our Sister Province of Lower Canada.

Agreeable to the Order of the Day, Mr. Macdonell of York, one of the Special Committee appointed to draught rules for the guidance of this House, reported that the Committee had draughted some rules in addition to those already made, which he was ready to submit to the House whenever it should be pleased to receive the same.

Ordered, That the Report be now received.

Which Report be read in his place.

Then on motion of Mr. Macdonell of York, seconded by Mr. Swayzie,

Ordered, That the said Rules do lie on the Table.

An Act to amend an Act for the more summary conviction of persons selling Spirituous Liquors without License was read for the first time.

On motion of Mr. Macdonell of York, seconded by Mr. Swayzie, the House resolved itself into Committee on the Bill for securing Titles to Land.

Mr. Speaker left the Chair.

Mr. Rogers was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Rogers reported that the Committee had made a progress, and desired him to ask for leave to sit again this day.

Leave was accordingly given.

A Message from the Honorable Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable Legislative Council to inform this House that they have passed the Bill for establishing Post Houses throughout this Province, with amendments, to which amendments they request the concurrence of the House of Assembly.

And then withdrew.

Then Mr. Macdonell of York moved, seconded by Mr. Clench, that the said Bill and Amendments made by the Legislative Council be not read.

Ordered accordingly.

Then Mr. Speaker left the Chair.

Mr. Rogers retook the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Rogers reported progress, and asked for leave to sit again to-morrow.

Leave was granted.

Read for the second time, the Bill restraining joint obligations.

Then, on motion of Mr. Macdonell of York, seconded by Mr. Clench, the House resolved itself into Committee.

Mr. Speaker left the Chair.

Mr. Weager was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Weager reported that the Committee had gone through the consideration of the said Bill, and had desired him to report whenever this House would be pleased to receive the same, that the further reading of the said Bill should be put off for three months.

Which Report was accepted and ordered accordingly.

Read for the third time.

The engrossed Bill for allowing the Governor, Lieutenant Governor, or person administering the Government, to appoint Ports or Places of Entry in this Province.

Then Mr. Macdonell of York moved, seconded by Mr. Clench, that the following be an additional clause to the said Bill. "Provided nevertheless that nothing herein contained shall extend or be construed to extend to authorize the Governor, Lieutenant Governor, or person administering the Government, to erect any additional Ports or Places of Entry in any District wherein Ports or Places of Entry are already by Law established, the Western District excepted."

The same passed in the negative.

Mr. Sherwood moved, seconded by Mr. Ferguson, that the words "any additional Ports or Places of Entry" be expunged, and the words "appoint another collector or collectors" be substituted in lieu thereof.

Carried in the negative.

Then Mr. Solicitor General, seconded by Mr. Macdonell of Glengarry, moved that the title of this Bill be "An Act to enable the Governor, Lieutenant Governor, or person administering the Government of this Province, to appoint one or more additional Port or Ports, Place or Places of Entry within this Province, and to appoint one or more Collector or Collectors at the same respectively."

Ordered accordingly.

Mr. Solicitor General moved, seconded by Mr. Macdonell of Glengarry, that Mr. Rogers, Mr. Thompson and Mr. Swazey do carry up the said Bill to the Legislative Council and request their concurrence.

Ordered accordingly.

Read for the second time the Bill for ascertaining Boundary lines.

Mr. Thompson then moved, seconded by Mr. Ferguson, that the said Bill be taken into consideration on Monday next in a Committee of the whole House.

Ordered accordingly,

An Act to amend an Act passed in the forty fourth year of His Majesty's Reign entitled "An Act for granting to His Majesty, his Heirs and Successors, certain duties on Merchandise coming into this Province from the United States of America" was read for the second time.

Then Mr. Macdonell of York, seconded by Mr. Swayzie, moved that the House do resolve itself into Committee on Monday next on the said Bill.

The same was ordered accordingly.

The Bill for the more speedy recovery of small debts was read for the second time.

Then Mr. Solicitor General moved, seconded by Mr. Sherwood, that this House do resolve itself into Committee to-morrow on the said Bill.

Ordered accordingly.

On motion of Mr. Clench, seconded by Mr. Swayzie,

Ordered, That Messrs. Rogers, Nelles and Weager do carry up to the Honorable Legislative Council the Bill empowering the Governor, Lieutenant Governor, or person administering the Government to appoint Ports or Places of Entry in this Province.

On motion of Mr. Weager, seconded by Mr. Swayzie, the House adjourned.

Saturday, 19th. June, 1802.

Mr. Thompson, seconded by Mr. Sherwood, moved that Mr. Weager's attendance in this House during the present Session be dispensed with.

Leave of absence was accordingly granted.

Mr. Clench, seconded by Mr. Beasley, obtained leave to bring in the Petition of Colin McNabb, Esquire, which was ordered to lie on the Table.

Mr. Sherwood, seconded by Mr. Washburn, moved for leave to bring in a Bill on Monday next to provide for the payment of salaries to the Judges of the District Court throughout this Province.

Upon which, Mr. Macdonell of York, seconded by Mr. Clench, moved to amend the motion by expunging the words "Monday next" and inserting the words "three months hence."

The House divided upon the question, and the names being called for, they were taken down and are as follows.

YEAS.	NAYS.
MESSRS. SWAYZIE	MESSRS. SOL'R GENERAL
MACDONELL (York)	SHERWOOD
CLENCH	WASHBURN
BEASLEY	MACDONELL (Glengarry)
NELLES	ELLIOTT
McCRAE	FERGUSON
ROGERS	WEAGER
SHERIFF MACDONELL	

Carried in the affirmative by a majority of one, and ordered accordingly.

Then the main question was put, and the same passed in the negative.

Mr. Sheriff Macdonell moved, seconded by Mr. Swayzie, for leave to bring in on Tuesday next a Bill to authorize the Governor, Lieutenant Governor, or Person administering the Government for the time being, to license certain persons to let and hire Post Horses and Carriages, and to give encouragement to such persons so licensed for that purpose, and to regulate the conduct of the same.

Leave was accordingly granted.

Mr. Rogers, first named of the Committee appointed for that purpose, reported that they had carried up to the Legislative Council the Bill entitled, "An Act empowering the Governor, Lieutenant Governor or person administering the Government, to appoint Ports or Places of Entry in this Province," and did request their concurrence.

Mr. Sherwood moved for leave to bring in on Monday next a Bill to appropriate a sum of money for the purpose of providing for the District Judges in this Province, which was seconded by Mr. Ferguson.

Upon which Mr. Macdonell of York, seconded by Mr. Clench, moved that the motion be amended by expunging the words "Monday next" and substituting in lieu thereof "eighteen months."

A question of privilege was now agitated, and debates ensuing the House was thereupon cleared.

The House being again opened, Mr. Macdonell of York, seconded by Mr. Sheriff McDonell, called for Privileges, and the House was again shut.

The doors were again opened, and then Mr. Swayzie, seconded by Mr. Macdonell of York, moved that the House do now adjourn, which was carried in the negative.

Then again Mr. Macdonell of York claimed privilege and required the House should be cleared.

When the House was again opened Mr. Macdonell of York, seconded by Mr. Nelles, moved that the doors be now shut, which was carried in the negative.

Then the original question was put as amended, and stands as follows, "for leave to bring in a Bill in eighteen months to appropriate a sum of money for the purpose of providing for the District Judges in this Province" and carried in the affirmative.

A Message from the Honorable Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

The Honorable Legislative Council have commanded me to inform this House that they have passed the Bill entitled "An Act to amend an Act passed in the thirty-fourth year of His Majesty's Reign entitled "An Act to restrain the custom of permitting horned cattle, horses, sheep, and swine to run at large," with some amendments, to which amendments they request the concurrence of the House of Assembly.

And then withdrew.

Then Mr. Macdonell of York moved, seconded by Mr. Clench, that the Bill returned by the Legislative Council as amended be not now read.

Ordered accordingly.

An Act to obviate certain doubts respecting the jurisdiction of the Court of Requests within this Province was read the first time.

Then Mr. Clench, seconded by Mr. Macdonell of York, moved that the said Bill be read a second time on Monday next.

Ordered accordingly.

Read for the first time, An Act for applying certain sums of money to make good the loan requested last Session.

Mr. Macdonell of York, seconded by Mr. Swayzie, moved, according to the notice given yesterday, that this House do vote an Address to His Excellency the Lieutenant Governor, praying that he be pleased to institute a Board in this Province to encourage the culture, dressing, and exportation of hemp, upon the same principles as that established in our Sister Province of Lower Canada.

Then Mr. Ferguson moved, seconded by Mr. Rogers in amendment, that the House do go into consideration of the said Address in eighteen months hence.

The same passed in the negative.

Then the main question was put, and the same was carried in the affirmative, and ordered accordingly.

Mr. Washburn moved, seconded by Mr. Ferguson, that what remains on the Order of the Day be dispensed with, and the House do now adjourn.

Then Mr. Macdonell of York, seconded by Mr. Ferguson, moved in amendment, that so much of the Order of the Day as hath not been disposed of be considered as part of the Order of the Day on Monday, and that the House do now adjourn.

The same passed in the negative.

Then the previous question was put, and the same was carried in the negative.

The Petition of the Hon. Peter Russell, Esquire, was read.

Then, on motion of Mr. Solicitor General, seconded by Mr. Macdonell of York, the House resolved itself into Committee to take up the consideration of the position of the Hon. Peter Russell, Esq.

Mr. Speaker left the Chair.

Mr. Washburn was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Washburn reported that it is the opinion of the Committee that the prayer of the petition of the Hon. Peter Russell, Esq. be granted, and that a Committee be appointed to draught a Bill for that purpose, and that they report on Monday.

Which Report was accepted, and ordered accordingly.

Then Mr. Rogers moved, seconded by Mr. Beasley, that the Solicitor General and Mr. Macdonell of York be a Committee to report a Bill agreeable to the recommendation of the Committee of the whole House on the petition of the Honorable Peter Russell, Esq.

It was ordered accordingly.

Mr. Ferguson moved, seconded by Mr. Macdonell of York, that the remainder of the Order of the Day be considered as a part of the Order of the Day for Monday next, and that the House do now adjourn.

It was so ordered, and the House adjourned accordingly until Monday next.

Monday, 21st. June, 1802.

Prayers were read.

Mr. Speaker informed the House that he had received a letter from Mr. Bell, Member for Leeds, acquainting him that his state of health was so bad that he was unable to attend his duty in Parliament this Session.

Mr. Washburn moved, seconded by Mr. Clench, for leave to bring in on to-morrow a Bill to ascertain and enlarge the power of the Pound-Keepers within this Province.

Leave was accordingly given.

On the motion of Mr. Rogers, seconded by Mr. Nelles, the House resolved itself into Committee to take into their further consideration the Bill to ascertain and secure the titles to lands in this Province,

Mr. Speaker left the Chair.

Mr. Rogers was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Rogers reported that the Committee had gone through the consideration of the Bill for ascertaining the titles to lands in this Province with some amendments, which he was desired to report whenever the House shall be pleased to receive the same.

Ordered, That the Report be now received.

Which Report was accepted.

Then Mr. Ferguson, seconded by Mr. Thompson, moved that the said Bill be engrossed and read a third time on Wednesday next.

Ordered accordingly.

A message from the Honorable the Legislative Council by Mr. Burns, Master in Chancery,

Mr. Speaker,

The Honorable Legislative Council have commanded me to inform this Honorable House that they have passed a Bill entitled "An Act to authorize the Governor, Lieutenant Governor, or person administering the Government of this Province to license Practitioners in the Law,

And then withdrew.

Read for the third time the engrossed Bill for the more uniform laying of assessments and rates within this Province.

Then Mr. Ferguson moved, seconded by Mr. Clench that the words "fireplace or fireplaces" in every part of the Bill be expunged, and the words "every flue in every chimney" be substituted in lieu thereof.

The same passed in the negative.

Then Mr. McCrae moved, seconded by Capt. Elliott, that the word "pounds" be expunged, and the word "shillings" be inserted in lieu thereof.

Ordered accordingly.

Mr. Sherwood, seconded by Mr. Washburn, moved that the article that regards stills be expunged from the Bill.

The same was carried in the affirmative.

Then Mr. Sherwood moved, seconded by Mr. McCrae, that the words "half-penny" be expunged, and the word "penny" be inserted.

It passed in the negative.

Mr. Sheriff Macdonell, seconded by Mr. Ferguson, moved that the words "half penny" be expunged, and the words "three farthings" be inserted.

Carried in the negative.

Mr. Rogers moved, seconded by Mr. Clench, that the words " parish, township, or reputed township " be expunged, and the words " in this Province " be inserted.

Then Mr. Beasley moved in amendment, seconded by Mr. Nelles, that the word " township " be expunged, and the word " District " be inserted.

The same passed in the negative.

Then the main question was put and carried in the affirmative, and ordered accordingly.

Mr. Macdonell of York, seconded by Mr. Clench, moved that as an additional clause be inserted " and be it further enacted by the authority aforesaid that this Act shall be in force for two years to the end of the then next session of Parliament and no longer."

Ordered accordingly.

Read for the first time,

The Bill to authorize the Governor, Lieutenant Governor, or person administering the Government, to license Practitioners in the Law.

Mr. Clench moved, seconded by Mr. Sherwood, that the said Bill be read this day three months.

Ordered accordingly.

Read for the third time the engrossed Bill regulating the Statute Labor to be done on the King's Highways throughout this Province.

Then Mr. Sherwood moved, seconded by Mr. Swayzie, that the title of the said Bill be "An Act to alter and amend the method of performing Statute Labour on the Highways and Roads within this Province, and also to repeal an Act pasesd in the thirty eighth year of His Majesty's Reign entitled "An Act to Alter the method of performing Statute Duty on the Highways and Roads within this Province."

Ordered accordingly, the same was passed, and signed by Mr. Speaker.

Mr. Clench moved, seconded by Mr. Swayzie, that Messrs. Sherwood, Macdonell of York and Nelles do carry up to the Legislative Council the Bill for regulating Statute Labour to be done on the King's Highways, and request their concurrence in passing the same.

Ordered accordingly.

Mr. Macdonell of York, seconded by Mr. Swayzie, moved that the title of the Assessment Bill be "An Act for the more uniform laying of assessments and rates within this Province, and for repealing certain parts of an Act passed in the thirty third year of His Majesty's Reign entitled "An Act to authorize and direct the laying of assessments and rates in every District within this Province, and to provide for the payment of wages to the Members of the House of Assembly " and certain parts of another Act, passed in the thirty fourth year of His Majesty's Reign entitled "An Act to amend certain parts of an Act passed in the thirty-third year of His Majesty's Reign, entitled "An Act to authorize the laying and collecting of assessments and rates within this Province, and to provide for the payment of wages to the Members of the House of Assembly."

Ordered accordingly.

Read for the first time,

The Bill for allowing the Hon. Peter Russell, Esq. to charge a certain commission on monies received by him.

Then Mr. Rogers moved, seconded by Mr. Nelles, that this Bill be read a second time to-morrow.

It was so ordered.

Read for the second time a Bill to obviate doubts respecting the Courts of Requests.

On motion of Mr. Clench, seconded by Mr. Rogers, the House resolved itself into Committee on the said Bill.

Mr. Speaker left the Chair.

Mr. Beasley was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Beasley reported a progress and was directed to ask for leave to sit again.

Leave was accordingly granted.

Mr. Solicitor General, seconded by Mr. Thompson, moved that so much of the Order of the Day as relates to the second reading of the Bill for the more easy recovering of debts be discharged,

Then Mr. Macdonell of York, seconded by Mr. Macdonell of Glengarry, moved in amendment, that after the word "be" the word "discharged" be expunged, and in lieu thereof that the words "read this day" be inserted.

The same passed in the negative.

Then the main Question was put and the same was carried in the affirmative.

And was ordered accordingly.

The Bill for the more uniform laying of assessments and rates within this Province passed, and was signed by Mr. Speaker.

Then it was ordered, that Messrs. Sherwood, Macdonell of York and Nelles, do carry up to the Hon. Legislative Council the said Bill, and request their concurrence in passing the same.

Read for the second time the Bill to ascertain the Boundary Lines of the different townships throughout this Province.

Then, on motion of Mr. Thompson, seconded by Mr. Sherwood, the House resolved itself into Committee to take up the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Clench was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Clench reported that the Committee had gone through the consideration of the said Bill without any amendments, which he was directed to report whenever the House would be pleased to receive the same.

Ordered, That the said Report be now received, and that the said Bill be engrossed and read a third time on Thursday next.

Agreeable to the Order of the Day was read the Petition of the Magistrates and Grand Jurors of the District of London, and is as follows.

To the Honorable the Legislature of
Upper Canada in Parliament assembled.

The petition of the Magistrates and Grand Jurors of the District of London,
Humbly Sheweth,

That your petitioners labour under considerable inconvenience by being compelled by law to hold their Court in the town of Charlotteville. Your Petitioners humbly pray the law may be altered in such manner as to enable them to hold their Courts in the township of Charlotteville.

And your Petitioners as in duty bound will ever pray.

As was also the petition of Colin McNabb, Esq. Collector at Niagara, and is as follows.

To His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada, and Lieutenant General Commanding his Majesty's Forces in the Province of Upper Canada &c. &c. and to the Honorable the Legislative Council and Commons of Upper Canada in Parliament assembled.

The Petition of Colin McNabb, Collector of His Majesty's Customs in and for the Port of Niagara,

Humbly Sheweth,

That Your Petitioner, having occasion for an office wherein to discharge the duties of his appointment, humbly prays that it may please Your Excellency to permit one to be built upon such part of the Public Ground reserved for the use of the Crown, near the town of Niagara, as may be suitable to the purpose.

That Your Petitioner humbly hopes that as the Office will be for the use of His Successors in situation the expense may be ordered by Your Excellency and Honours to the Public charge, and conceives that one hundred Pounds will defray the expense of the object.

And Your Petitioner as in duty bound will ever pray.

7th. June 1802. Colin McNabb.

Then the House resolved itself into Committee on the Bill to amend an Act passed in the forty first year of His Majesty's Reign, entitled "An Act for granting to His Majesty, His Heirs and Successors, certain duties on merchandise coming into this Province from the United States of America.

Mr. Speaker left the Chair.

Capt. Elliott was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Capt. Elliott reported a progress, and was directed to ask for leave to sit again.

Leave was accordingly granted.

Then, on motion of Mr. McCrae, seconded by Mr. Swayzie, the House adjourned.

Tuesday 22nd. June 1802.

Prayers were read.

Mr. Sheriff Macdonell, seconded by Mr. Rogers, moved for leave to bring in on to-morrow a Bill to authorize the Governor, Lieutenant Governor, or person administering the Government, to license Advocates and Attornies for the conduct of legal proceedings in this Province.

Leave was accordingly granted.

Mr. Clench, seconded by Mr. Swayzie, moved for leave to bring in to-morrow a Bill to declare and establish what shall be deemed and taken to be the Public Roads throughout this Province.

Ordered accordingly.

Read for the first time a Bill to License certain persons to let and hire out Post Horses and Carriages.

Then Mr. Sheriff Macdonell, seconded by Mr. Swayzie, moved that the said Bill be read a second time to-morrow.

The same was ordered accordingly.

Mr. Sherwood, first named from the Committee, reported that they had carried up to the Honorable Legislative Council the Bill to regulate the Statute

Labour to be done on the King's Highway throughout the Province, and did request their concurrence in passing the same. He further reported that they had also carried up to the Honorable Legislative Council for their concurrence a Bill for the more uniform laying of assessment within this Province.

A Message from the Honorable Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable the Legislative Council to inform this Honorable House that they have passed the Bill entitled "An Act to enable the Governor, Lieutenant Governor, or person administering the Government of this Province to appoint one or more additional port or ports, place or places of entry within this Province, and to appoint one or more Collector or Collectors at the same respectively," without any amendment.

And then withdrew.

Mr. Washburn moved, seconded by Mr. Sherwood, that the Bill to extend the power of the Poundkeepers be read a second time to-morrow.

Ordered accordingly.

Mr. Ferguson, seconded by Mr. Swayzie, moved that this House do now resolve itself into a Committee to take into consideration the Rules of this House as revised, and those in addition as reported by the Committee appointed for the purpose above mentioned, in order that the said Committee of the Whole House do accept such, and make such other rules as to them may seem necessary.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Ferguson was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Ferguson reported that the Committee have taken into their consideration the revised rules together with the new rules as proposed by the Select Committee, and that he was desired to report the same to the House, and is as follows.

1. That eleven Members shall be a Quorum of the House, including the Speaker.

2. That every Bill shall be read twice before it is committed and engrossed and read a third time before it is sent up for concurrence.

3. That a Bill of a Private nature shall be brought in by petition of a public nature by motion.

4. That when the House resolves itself into a Committee the Speaker leaves the Chair.

5. That a Member intending to move any question shall give one day's previous notice.

6. That a petition being brought up be ordered to lie on the Table at least two days before it is read.

7. That the Chaplain shall read prayers every day at the opening of the House.

8. That no Member do speak oftener than once to one question the same day, except in Committee.

9. That every day immediately after the Speaker shall have taken the Chair the Minutes of the preceding day shall be read by the Clerk, to the end that any mistake therein may be corrected by the House.

10. That the Speaker shall always take the Chair when Black Rod is at the Door if there be a quorum.

11. That when the House adjourns the Members shall keep their seats until the Speaker leaves the Chair.

12. That when the Speaker is obliged to adjourn the House for want of a quorum the names of the Members then present shall be inserted in the journals.

13. That the Speaker shall preserve order and decorum, and shall decide all questions of order subject to an appeal of the House.

14. That every Member previous to speaking shall rise from his seat and address himself to the Speaker.

15. That every Member may of right enquire the question or motion in discussion to be read for his information at any time of the debate, but not so as to interrupt the Member speaking.

16. That no Member shall speak more than once to the same question without leave of the House, except in explanation of a material part of his speech which may have been misconceived, but then he is not to introduce new matter.

17. That in all unprovided cases resort shall be had to the rules, usages and forms of the Parliament of Great Britain, which shall be followed until this House shall think fit to make a rule or rules applicable to such unprovided case or cases.

18. That no motion shall be debated or put unless the same be in writing, and seconded.

19. That after a motion is read by the Speaker it shall be deemed to be in possession of the House, but may be withdrawn at any time before decision or amendment, with permission of the House.

20. That a motion for commitment until it is decided shall preclude all amendment of the main question.

21. That when a Bill is read in the House the Clerk shall certify the readings and the time on the back.

22. That no strangers shall be admitted within the Bar, unless by permission or request of the Speaker.

23. That whilst any Member is speaking every other Member must be seated, nor shall any Member rise until the Member speaking shall have seated himself.

24. That when the Speaker calls a Member to the Chair of a Committee such Member shall immediately take the chair without argument or comment.

25. That the Yeas and Nays upon any question be taken down in the minutes in the several columns by the Clerk and entered in the Journals in the same manner, at the request of any one Member.

26. That no rule adopted by this House shall be dispensed with unless by the concurrent consent of at least nine of the Members then in the House.

27. That a motion to adjourn shall always be in order.

Which Rules they respectfully recommend to be adopted by the House having caused the same to be signed by the Chairman in order that their Report may be certified and entered at length upon the journals.

House of Assembly
22nd. June 1802.

John Ferguson
Chairman of Com.

Which Report was accepted, and ordered accordingly.

Mr. Sherwood, seconded by Mr. Macdonell of York, moved that the Speaker be authorized to have the Rules adopted by the House printed, and that one copy be sent to each Member.

The same passed in the negative.

Then Mr. Macdonell of York, seconded by Mr. Swayzie, moved that the Bill to ascertain and declare the rates allowable to the Receiver General be now read a second time.

Ordered accordingly, and the same was read for the second time.

On motion of Mr. Swayzie, seconded by Mr. Macdonell of York, the House resolved itself into Committee on the said Bill.

Mr. Speaker left the Chair.

Mr. McCrae was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. McCrae reported that the Committee had gone through the consideration of the said Bill and desired him to report the same without any amendment.

Which Report was accepted.

Then Mr. Macdonell of York moved, seconded by Mr. Ferguson, that the said Bill be engrossed and read a third time to-morrow.

Ordered accordingly.

Mr. Clench, seconded by Mr. Sherwood, moved that this House do now resolve itself into Committee to take into their further consideration the Bill to obviate certain doubts respecting the jurisdiction of the Courts of Requests within this Province.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Sheriff Macdonell was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Sheriff Macdonell reported that it is the opinion of the Committee that the further consideration of the said Bill be postponed for three months.

Then Mr. Clench moved, seconded by Mr. Beasley, that this Report be not accepted.

The House divided on the motion, and the names were taken down as follows:

YEAS.	NAYS.
MESSRS. CLENCH	MESSRS. FERGUSON
BEASLEY	ELLIOTT
SHERWOOD	SHERIFF MACDONELL
MACDONELL (York)	WASHBURN
	MACDONELL (Glengarry)
	ROGERS
	NELLES
	McCRAE
	SWAYZIE

It passed in the negative by a majority of five.

The report was then accepted, and ordered accordingly.

Mr. Sheriff Macdonell then moved, seconded by Captain Elliott, that one hundred copies of the Rules adopted for the guidance of this House be printed, and that they be distributed at pleasure by Mr. Speaker as well to the Members of the present Parliament as to the Members of succeeding Parliaments.

Ordered accordingly.

On motion of Mr. Swayzie, seconded by Captain Elliott, the House adjourned.

Wednesday, 23rd. June, 1802.

Prayers were read.

Mr. Ferguson, seconded by Mr. Rogers, moved that the following be added to the Rules adopted by this House. "That in order to expedite the business of the Legislature this House should not insist on the privilege claimed and exercised by them of laying aside Bills sent from the Legislative Council, because they impose pecuniary penalties, nor of laying aside amendments made by the Legislative Council because they introduce into or alter pecuniary penalties in Bills sent to them from this House; provided that all such penalties thereby imposed are only to punish or prevent crimes and offences, and do not tend to lay a burthen on the subject, either as aid and supply to His Majesty, or for any general or special purpose by rates, tolls, assessments or otherwise.

Mr. Macdonell of York, seconded by Mr. Ferguson, moved in amendment that after the word "House" in the fifth line the word "should" be expunged, and the word "shall" substituted in lieu thereof.

A division thereupon took place, and the names were taken down as follows.

YEAS.	NAYS.
MESSRS. FERGUSON	MESSRS. ELLIOTT
SHERIFF MACDONELL	SHERWOOD
MACDONELL (Glengarry)	CLENCH
WASHBURN	SWAYZIE
MACDONELL (York)	
THOMPSON	
ROGERS	
McCRAE	
NELLES	

Carried in the affirmative by a majority of five, and ordered accordingly.

Mr. Speaker informed the House that the first thing upon the Order of the Day was leave to bring in a Bill entitled "An Act to authorize the Governor, Lieutenant Governor, or person administering the Government, to license Advocates and Attorneys for the conduct of legal proceedings in this Province."

And upon putting the question, Shall this Bill be read a first time, a point of privilege arose, and debates ensued.

Upon which Mr. Sheriff Macdonell, seconded by Mr. Ferguson, moved that it is not the opinion of this House that the Rule made yesterday at two o'clock in the afternoon which directs that in all unprovided cases resort shall be had to the Rules, Usages, and Forms of the Parliament of Great Britain, which shall be followed until this House shall think fit to make a Rule or Rules applicable to such unprovided cases, should have a retrospective operation on a permission given to a Member to bring in a Bill on this Day,—which permission was granted at eleven o'clock of the forenoon of the same day on which the above mentioned Rule was adopted.

And then Mr. Sherwood moved, seconded by Mr. Macdonell of York, as an amendment, that it is the opinion of this House that a Rule made at two o'clock yesterday can have operation this morning.

The original motion and amendment were alternately contended for as differing in discussion upon privilege from ordinary motions. The Speaker was therefore obliged to appeal to the House, which he did in the following manner.

When a point of privilege arises it is privilege to put the original question or put the amendment the same as putting the previous question upon ordinary motion.

And the House divided as follows.

For putting the amendment.

MESSRS. BEASLEY
McCRAE
ROGERS
SOLICITOR GENERAL
MACDONELL (Glengarry)
SHERIFF MACDONELL
ELLIOTT
FERGUSON
WASHBURN

For putting the original question.

MESSRS. MACDONELL (York)
THOMPSON
SHERWOOD
NELLES
CLENCH
SWAYZIE

Carried by a majority of three for putting the original question in discussing privilege.

Mr. Sheriff Macdonell's motion was then put and carried in the affirmative.

After which the Bill entitled "An Act to authorize the Governor, Lieutenant Governor, or person administering the Government, to license Advocates and Attorneys for the conduct of legal proceedings in this Province" was read a first time by Mr. Macdonell in his place.

And Mr. Washburn then moved that so much of the seventeenth Rule of this House, made yesterday be dispensed with until the end of this session, as it affects a Bill before the House, which was seconded by Mr. Ferguson.

Who thereupon moved in amendment that after the word "affect" the words "a Bill" be expunged, and the word "Bills" be inserted in lieu—which was seconded by Captain Elliott, but withdrawn by permission of the House.

The original motion by Mr. Washburn was then put and carried in the negative.

Then Mr. Rogers moved that the Rule or custom of Parliament that directs that no Bill of the same substance be brought in a second time the same Session, be not binding on this House,—which was seconded by Mr. Ferguson, and carried in the negative.

Then Mr. Sheriff Macdonell moved that the Bill entitled "An Act to authorize the Governor, Lieutenant Governor, or person administering the Government, to license Advocates and Attorneys for the conduct of legal proceedings in this Province" be read a second time to-morrow,—which was seconded by Mr. McDonell of Glengarry.

And thereupon a question of privilege arose, and debate ensued.

The Speaker put the question, shall the question be put, which was carried in the affirmative.

And then he proceeded to put the motion, upon which privilege was again claimed and debates again ensued.

Then again the Speaker put the question for the reading of the Bill a second time to-morrow, and it was carried in the affirmative and ordered accordingly.

The Solicitor General, in his place, presented a Message signed by the Lieutenant Governor, which was read, the Speaker and the House being uncovered, and is as follows.

P. Hunter, Lieutenant Governor.

The Lieutenant Governor having this day under the authority and according to the provisions of a certain Act passed in the second session of the second Parliament of this Province, to which the Royal assent was promulgated on the first day of January in the fortieth year of His Majesty's Reign entitled "An Act for the better division of this Province" issued his proclamation declaring that the Counties of Northumberland and Durham, with all the land in their rear, confined within their extreme boundaries, produced north sixteen degrees, west until they intersect the northern limits of this Province; do under and by virtue of that Act constitute and form a separate District thereof, to be called the District of Newcastle, and as further Parliamentary aid is necessary to enable the said District of Newcastle to possess and enjoy the like privileges and advantages as are now possessed and enjoyed by the other Districts of this Province, he requests that you would take the situation of that district into your consideration, and make such provision concerning the same as to you shall seem fit. P. H.

Dated at York this 23rd. day
of June 1802.

Then the Solicitor General moved, seconded by Mr. Rogers, that a committee be appointed to carry into effect the intention of His Excellency, the Lieutenant Governor's message just read.

Ordered unanimously.

Mr. Rogers moved, seconded by Mr. McCrae, that Mr. Thompson and Mr. Macdonell of York be a Committee for the purpose.

Mr. Macdonell of York, seconded by Mr. Thompson, moved as an amendment that Mr. Rogers be added to the Committee.

The previous question was accordingly put, and the original motion passed with the amendment.

Mr. Sheriff Macdonell moved, seconded by Mr. Rogers, that an humble Address be presented to His Excellency, the Lieutenant Governor, to return His Excellency the thanks of this House for his message requesting them to take into consideration the situation of the District of Newcastle.

Ordered unanimously.

Then Mr. Sheriff Macdonell moved, seconded by Mr. Rogers, that the Solicitor General, Mr. Sherwood and Mr. Clench be a Committee to draft an Address to His Excellency the Lieutenant Governor.

Ordered accordingly.

Read, the Bill declaring what shall be deemed Public Roads in the Province, for the first time.

Then Mr. Clench, seconded by Mr. Rogers, moved that the said Bill be read a second time to-morrow.

Mr. Macdonell of York, seconded by Mr. Thompson, moved to amend the motion by expunging the word "to-morrow" and inserting the words "in three months"—which motion was afterwards withdrawn by permission of the House, and the original motion being put was carried and ordered to be read a second time to-morrow.

Then was read for the third time the engrossed Bill to declare the percentage to be taken by the Receiver General of this Province.

The said Bill passed, and was signed by Mr. Speaker.

Then Mr. Macdonell of York moved, seconded by Mr. Rogers, that the title of the said Bill be "An Act to declare and ascertain the rates which the Receiver General shall take and retain to his own use out of the moneys passing through his hands which are subject to the disposition of the Parliament of this Province.

Ordered accordingly.

On motion of Mr. Clench, seconded by Mr. Nelles,

Ordered, That Messrs. Swayzie, Washburn and Macdonell (Glengarry) do carry up to the Honorable Legislative Council the said Bill and request their concurrence.

Then Mr. Macdonell of York, seconded by Mr. Sherwood, moved that the Rule respecting Bills which have already been rejected during the Session be dispensed with so far as it respects the present Bills.

Ordered accordingly.

On motion of Mr. Rogers, seconded by Mr. Swayzie, the House resolved itself into Committee on the Bill granting power to the Pound Keepers throughout this Province.

Mr. Speaker left the Chair.

Mr. Macdonell of York was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell reported that the Committee had gone through the consideration of the said Bill, which he was ordered to report without any amendment whenever the House should be pleased to receive the same.

Resolved, That the said Report be now received.

Which Report was received and accepted.

Mr. Washburn, seconded by Mr. Ferguson, moved that the words "or such part of such distress as shall be sufficient to defray all damages and expenses" be inserted.

The same passed in the negative.

Then Mr. Macdonell of York, seconded by Mr. Clench, moved that the words "or so much of the said distress" be inserted.

Ordered accordingly.

Mr Rogers moved, seconded by Mr. Clench, that this Bill be now engrossed and read a third time to-morrow.

The same was ordered accordingly.

Mr. Macdonell of York moved, seconded by Mr. Swayzie, that so much of the Rules of this House as direct that no Bill be read a second time during the same Session in which it has been rejected be dispensed with this day.

Ordered accordingly.

Mr. Sheriff Macdonell then moved an amendment, seconded by Mr. Ferguson, that after the word "that" the whole be expunged, and that in lieu thereof be inserted "coming within the spirit of the decision of this House upon a similar occasion this day" be now read a second time.

The same passed in the negative.

Then the main question was put, and carried in the affirmative.

And ordered accordingly.

Read for the second time the Bill giving power to establish Post Houses and carriages throughout this Province.

Then, on motion of Mr. Macdonell of York, seconded by Mr. Clench, the House resolved itself into Committee on the said Bill.

Mr. Speaker left the Chair.

Mr. Macdonell of Glengarry was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell reported a progress, and was directed to ask leave to sit again to-morrow.

Leave was accordingly granted.

Read for the third time the engrossed Bill for the better securing title to lands in this Province.

Then Mr. Ferguson moved, seconded by Mr. Thompson, that the title of the said Bill be, "An Act the better to ascertain and secure the title to lands in this Province."

Ordered accordingly, and then the Bill passed and was signed by Mr. Speaker.

Mr. Rogers, seconded by Mr. Swayzie, moved that the Messengers appointed to carry up to the Honorable Legislative Council the Bill to ascertain the rates to be taken by the Receiver General and to request their concurrence to carry up this Bill also to the Honorable Legislative Council, and request their concurrence

The same was ordered accordingly.

On motion of Mr. Clench, seconded by Mr. Swayzie, the House adjourned.

Thursday 24th. June 1802.

Prayers were read.

Mr. McCrae moved, seconded by Mr. Beasley, that the House resolve itself into a Committee of the whole House on to-morrow, for the investigation of the Public Accounts.

Ordered accordingly.

Then Mr. Swayzie, seconded by Mr. Macdonell of York, moved that the House do resolve itself into committee to-morrow to take up the further consideration of the Bill regarding Hawkers and Pedlars.

It was ordered accordingly.

Mr. Ferguson, seconded by Mr. Solicitor General moved, that the following amendment be made to the 26th. rule of this House, that the words "concurrent consent of at least nine of" be expunged, and that the words "majority of" be inserted in lieu.

A division thereupon took place, and the names were ordered to be taken down, and are as follows.

YEAS.	NAYS.
MESSRS. SOLICITOR GENERAL	MESSRS. SHERIFF MACDONELL
WASHBURN	THOMPSON
FERGUSON	MACDONELL (Glengarry)
ELLIOTT	SHERWOOD
McCRAE	ROGERS
	NELLES
	BEASLEY
	CLENCH
	SWAYZIE

The same passed in the negative by a majority of four.

Mr. Swayzie, first named to carry up to the Hon. Legislative Council the Bill to declare the percentage to be taken by the Receiver General, and also the Bill to ascertain and secure the title to lands reported that they had carried up the same and requested their concurrence.

Read for the third time, the Bill granting power to the Poundkeepers throughout this Province.

Which Bill passed and was signed by Mr. Speaker.

Then Mr. Rogers moved, seconded by Mr. Beasley, that Mr. Macdonell of York and Mr. Clench be a Committee to carry this Bill up to the Honorable the Legislative Council and request their concurrence.

Ordered accordingly.

Mr. Macdonell of York, first named to carry up the said Bill, reported that they had carried up the said Bill to the Honorable Legislative Council, and did request their concurrence.

Read for the second time, the Bill to ascertain what should be deemed the Public Roads throughout this Province.

Then on motion of Mr. Beasley, seconded by Mr. Nelles, the House resolved itself into Committee on the said Bill.

Mr. Speaker left the Chair.

Mr. Solicitor General was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Solicitor General reported that the Committee had made a progress, and did direct him to ask for leave to sit again to-morrow.

Leave was accordingly granted.

Mr. Sheriff Macdonell, seconded by Mr. Rogers, moved that so much of the Order of the Day as directs the second reading of a Bill to authorize the Governor, Lieutenant Governor, or person administering the Government, to license Advocates and Attorneys for the conduct of legal proceedings, be discharged, and that the same may be read for the second time on to-morrow

Ordered accordingly.

Agreeable to the Order of the Day the House resolved itself into Committee on the Bill for establishing Post Houses and Carriages throughout this Province.

Mr. Speaker left the Chair.

Mr. Nelles was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Nelles reported the Bill without any amendment.

Which report was accepted.

Then Mr. Sheriff Macdonell moved, seconded by Mr. Macdonell of Glengarry, that this Bill be engrossed and read a third time to-morrow.

Ordered accordingly.

Mr. Solicitor General, one of the Committee named to draft an Address to His Excellency the Lieutenant Governor, reported that the Committee had done so, which he read in his place, and is as follows.

To His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada, and Lieutenant General commanding His Majesty's Forces in the Provinces of Upper and Lower Canada &c. &c.

May it please Your Excellency.

We, His Majesty's faithful and loyal subjects, the Representatives of the Commons of Upper Canada in Parliament assembled, return to Your Excellency's Message relative to the District of Newcastle.

And we respectfully agree, Your Excellency, that we will take the situation of the said District into our immediate consideration, and shall contribute our aid in extending it the like privileges and advantages now possessed and enjoyed by the other Districts of this Province.

Commons House of Assembly,
York, 24th. June, 1802.

Ordered accordingly.

On motion of Mr. Macdonell of York, seconded by Mr. Swayzie, the House adjourned.

Friday, 25th. June, 1802.

Prayers were read.

Mr. Macdonell of York, seconded by Mr. Clench, moved that so much of the Order of the Day as respects the going into the consideration this day of the Bill for licensing Hawkers, Pedlers and Petty Chapmen, be discharged.

Ordered accordingly.

Read for the third time, the Bill authorizing the Governor to license persons to keep Post Houses and carriages.

Then Mr. Sheriff Macdonell moved, seconded by Mr. Swayzie, that thetitle of this Bill be "An Act to authorize the Governor, Lieutenant Governor or person administering the Government for the time being to license certain persons to let and hire post Horses and carriages, to give encouragement to such persons so licensed for that purpose, and to regulate the conduct of the same."

Ordered accordingly.

The said Bill passed, and was signed by Mr. Speaker.

Mr. Macdonell of York moved, seconded by Mr. Macdonell of Glengarry, that Mr. Sheriff Macdonell and Mr. Captain Elliott be a Committee to carry up the said Bill to the Legislative Council and to request their concurrence in passing the same.

The same was ordered accordingly.

Agreeable to the Order of the Day the House resolved itself into a Committee on the Public Accounts.

Mr. Speaker left the Chair.

Mr. Sherwood was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Sherwood reported a progress, and asked for leave to sit again tomorrow.

Mr. Sheriff Macdonell, one of the messengers named, informed the House that they had carried up to the Hon. Legislative Council the Bill empowering the Governor, Lieutenant Governor or person administering the Government to license certain persons to let and hire Post Horses and carriages, and request their concurrence.

Agreeable to the Order of the Day the House resolved itself into Committee to take into their consideration what shall be deemed the Public Roads throughout this Province.

Mr. Speaker left the Chair.

Mr. Rogers was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr Rogers reported the Bill as amended.

Upon which Mr. Sheriff Macdonell moved, seconded by Mr. Macdonell of Glengarry, that this Report be not received.

On the question being put the House divided, and the names were ordered to be taken down, and are as follows:

YEAS.	NAYS.
MESSRS. SHERIFF MACDONELL	MESSRS. SWAYZIE
MACDONELL (Glengarry)	NELLES
WASHBURN	FERGUSON
MACDONELL (York)	CLENCH
	SOL'R. GEN.
	McCRAE
	ROGERS
	SHERWOOD
	ELLIOTT

The same passed in the negative by a majority of five, and the Report was accordingly accepted.

Then Mr. Clench moved, seconded by Mr. Nelles, that this Bill be engrossed and read a third time to-morrow.

Ordered accordingly.

Mr. Rogers, first named to carry an Address to His Excellency the Lieutenant Governor, in answer to his message to this House, setting forth that he had created a new District called Newcastle; reported that they had carried the said Address to His Excellency, to which His Excellency the Lieutenant Governor was pleased to make the following answer.

Gentlemen:—

I am very much pleased with your attention to the interests of this Province.

Read a second time, a Bill to authorize His Excellency the Lieutenant Governor to license Advocates and Attornies throughout this Province.

Then Mr. Sheriff Macdonell moved, seconded by Mr. Macdonell of Glengarry, That this House do now resolve itself into Committee to take this Bill into consideration.

The House resolved itself into Committee accordingly on the said Bill.

Mr. Speaker left the Chair.

Mr. Swayzie was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Swayzie informed the House that they had gone through the consideration of the said Bill, to which they had made some amendments, which he was directed to report to the House whenever they were pleased to receive the same.

Then Mr. Sherwood moved, seconded by Mr. Macdonell of York, That the Report of the Committee be not accepted.

Then Mr. Clench moved, seconded by Mr. Nelles, that this Bill be engrossed and read a third time to-morrow.

Ordered accordingly.

Mr. Rogers, first named to carry an Address to His Excellency the Lieutenant Governor, in answer to his message to this House, setting forth that he had created

a new District called Newcastle; reported that they had carried the said Address to His Excellency, to which His Excellency the Lieutenant Governor was pleased to make the following answer.

Gentlemen:—

I am very much pleased with your attention to the interests of this Province.

Read a second time, a Bill to authorize His Excellency the Lieutenant Governor to license Advocates and Attornies throughout this Province.

Then Mr. Sheriff Macdonell moved, seconded by Mr. Macdonell of Glengarry, That this House do now resolve itself into Committee to take this Bill into consideration.

The House resolved itself into Committee accordingly on the said Bill.

Mr. Speaker left the Chair.

Mr. Swayzie was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Swayzie informed the House that they had gone through the consideration of the said Bill, to which they had made some amendments, which he was directed to report to the House whenever they were pleased to receive the same.

Then Mr. Sherwood moved, seconded by Mr. Macdonell of York, That the Report of the Committee be not accepted.

The same passed in the negative.

Then the Report was received and accepted.

Mr. Macdonell of York, seconded by Mr. Washburn, moved that the following make an additional clause to the Bill. "And be it enacted by the authority aforesaid that it shall and may be lawful for the Advocates and Attornies who shall be hereafter appointed under this Act to practice in the Courts of Requests throughout this Province, and the said Courts of Requests shall have jurisdiction to the amount of Five Pounds in all cases to be tried by a Jury of six men whenever Plaintiff or Defendant may require the same. And the said Jury shall be summoned by a Constable at least two days previous to the day of trial, for which the said Constable shall be allowed six shillings. And the Advocates or Attornies conducting the suit through the said Court of Requests shall be allowed three shillings and nine pence to be paid by the party against whom judgment may be given, as well as the Constable's fees."

A division thereupon took place, and the names were taken down and are as follows.

YEAS.	NAYS.
MESSRS. SHERWOOD	MESSRS. THOMPSON
MACDONELL (York)	ELLIOTT
WASHBURN	SHERIFF MACDONELL
CLENCH	FERGUSON
NELLES	MACDONELL (Glengarry)
	SOLICITOR GENERAL
	ROGERS
	McCRAE
	BEASLEY
	SWAYZIE

The same passed in the negative by a majority of five.

Then Mr. Ferguson moved, seconded by Capt. Elliott, that the Bill be engrossed and read a third time on Monday.

Mr. Macdonell of York, seconded by Mr. Washburn, moved in amendment to expunge the word "Monday" and insert "Thursday."

The same was carried in the negative.

Then the Bill was ordered to be engrossed and read a third time on Monday.

On motion of Mr. Washburn, seconded by Mr. Macdonell of York, the House adjourned.

Saturday, 26th. June, 1802.

Prayers were read.

Mr. Clench moved, seconded by Mr. Nelles, that leave of absence be granted to Richard Beasley, Esquire, one of the Members of this House, for ten days.

Leave of absence was accordingly granted.

Then Mr. Clench moved, seconded by Mr. Swayzie, for leave to bring in on Monday next a Bill entitled "An Act for making temporary provision for the District of London."

Ordered accordingly.

Mr. Macdonell of York moved, seconded by Mr. Swayzie, for leave to bring up and lay upon the Table the Petition in duplicate of the Inhabitants of the Home District, praying that the representation of the said District in Parliament be increased.

Leave was granted, and the petitions were ordered to lie on the Table.

Then Mr. Macdonell of York reported, That the Committee ordered to draft a Bill relative to the District of Newcastle had done so, which Bill they are ready to deliver whenever the House will be pleased to receive the same.

Ordered, That the draft of the said Bill be now received and read for the first time.

The said Bill was received and read for the first time.

Mr. Rogers moved, seconded by Mr. Nelles, That this Bill be read a second time on Tuesday next.

Ordered accordingly.

Then read for the third time the engrossed Bill for ascertaining what shall be deemed Public Roads throughout this Province.

The same passed and was signed by Mr. Speaker.

Mr. Clench then moved, seconded by Mr. Nelles, that Messrs. Ferguson, McCrae and Swayzie do carry up this Bill to the Legislative Council, and request their concurrence thereto.

The same was ordered accordingly.

Agreeable to the Order of the Day the House resolved itself into Committee to take up the further consideration of the Public Accounts.

Mr. Speaker left the Chair.

Mr. Sherwood took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Sherwood reported a progress, and asked for leave to sit again on Monday next.

Leave was accordingly granted.

Mr. Ferguson, first named to carry up to the Legislative Council the Bill the better to ascertain what shall be deemed the King's Highways throughout this Province, reported that they had carried up the said Bill to the Honorable Legislative Council and did request their concurrence.

On motion of Mr. Macdonell of York, seconded by Mr. Ferguson, the House adjourned until Monday next.

Monday, 28th. June, 1802.

Prayers were read.

On motion of Mr. Macdonell of York, seconded by Mr. Swayzie, the Bill entitled " An Act for applying certain sums of money therein mentioned to make good the like sums of money issued and advanced by His Majesty through His Excellency Peter Hunter Esq., the now Lieutenant Governor, in pursuance of two several addresses of the Commons " was read for the second time.

Then on motion of Mr. Macdonell of York, seconded by Mr. Swayzie, the House resolved itself into Committee to go into the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Thompson was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Thompson informed the House that he was directed to report the Bill without any amendment, which report was accepted, and the said Bill was ordered to be engrossed and read a third time to-morrow.

Mr. Rogers moved, seconded by Mr. Macdonell of York, That the Order for the third reading of the Bill to authorize the Governor to license practitioners in the law be discharged, and that the said Bill be recommitted on to-morrow.

Ordered accordingly.

Read for the first time, the Bill to give temporary relief to the District of London.

Then Mr. Rogers moved, seconded by Mr. Nelles, that this Bill be read a second time on to-morrow.

The same was ordered accordingly.

A Message from the Honorable Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable Legislative Council to inform this House that they have passed the Bill entitled "An Act to declare and ascertain the rates which the receiver General shall take and retain to his own use out of the monies passing through his hands, which are subject to the disposition of the Parliament of this Province.

And then withdrew.

Agreeable to the Order of the Day was read by the Clerk the petition in duplicate of the Inhabitants of the Home District, the one signed by twenty-eight, and the other by thirteen, and are as follows.

To the Honorable the Commons of Upper
Canada in Parliament assembled.

The Humble Petition of the Inhabitants of the East Riding of York,

Most Humbly Sheweth :—

That your petitioners, observing with much gratification a rapid increase of the population and culture of the country, and deeming a full and fair representation of the people to be the most efficient incentive to the promoting and perpetuating of those advantages, and to the preserving of a happy constitution, pure and unimpaired, do therefore humbly solicit that the number of Members to serve in Parliament for the Riding of York be augmented, inasmuch as that since the uniting of the Counties of Durham and Simcoe to the County of York for the returning of a Member to Parliament the influx of Freeholders has become so very considerable as that the condition and circumstances of a large body of the people cannot be sufficiently made known to one Representative, however condescending and acceptable; and inasmuch that in a multitude of Councils there is much wisdom, so will a more enlarged representation afford a more general design of wise and statutory measures, and conspire to give such measures energy and effect.

Your petitioners humbly pray that Your Honorable House will take the premises into consideration, and make such provision in regard thereto as to you in your high power and wisdom may seem meet.

And your petitioners shall pray.

Then Mr. Sherwood moved, seconded by Mr. Clench, that the further consideration of those Petitioners be had three months hence.

Ordered accordingly.

According to the Order of the Day, the House resolved itself into Committee on the Provincial Accounts.

Mr. Speaker left the Chair.

Mr. Sherwood took the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Sherwood reported a progress, and asked for leave to sit again this day.

Leave was accordingly granted.

A Message from the Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable Legislative Council to inform this House that they have passed the Bill the better to ascertain titles to lands in this Province.

And then withdrew.

Then Mr. Speaker left the Chair.

Mr. Sherwood again took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Sherwood reported that the Committee had examined the Receiver General's Account Current transmitted to the House by the Inspector General, by which it appeared that there was now in the hands of the said Receiver General the sum of one thousand six hundred and eighty-one Pounds nineteen Shillings and one Penny Farthing, which includes the amount of the duties from Lower Canada between the first January and thirty first December one thousand eight hundred and one. And the Account of Tavern, Shop, and Still Licenses, ending the 4th. of April one thousand eight hundred and two.

Which Report was accepted.

Then the Speaker laid before the House an Account of the sixty Pounds he received last year for the purpose of purchasing furniture for the House of Assembly, together with the receipts for the same expended, which accounts are as follows.

Abstract of monies paid by the Speaker for furniture &c. to the House of Assembly.

To Alexr. Bell as per receipt No. 1 for a desk for the Clerk and three rulers	£6.	13.	0.
To Alexr. Bell as per receipt No. 2 for making 19 desks	19.	0.	0.
To Dan’l Fiers as per receipt No. 3¼ for 24 Windsor painted chairs.	12.	0.	0.
To John McBeth as per receipt No. 4 for a large painted case with folding doors, a large table and 19 inkstands	7.	8.	6.
To Jno. McBeth as per receipt No. 5 for a box and a case with Pigeon holes, a stool 12 small boxes, and other small articles	4.	12.	9.
Dollars at five shillings	49.	14.	3.
In the Speaker’s hands	10.	5.	9.
	£60.	0.	0.

D. W. Smith, Speaker.

Mr. Rogers moved, seconded by Mr. Sheriff Macdonell, that the Order of the Day for the second reading of the Bill for the District of Newcastle on Tuesday be discharged, and that the said Bill be read a second time this day.

Ordered accordingly.

And the said Bill was read for the second time this day.

Then Mr. Rogers moved, seconded by Mr. Thompson, That the House do now resolve itself into a Committee to take the Bill for the District of Newcastle into their consideration.

The House then resolved itself into Committee on the said Bill.

Mr. Speaker left the Chair.

Mr. Ferguson was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Ferguson reported the Bill with some amendments, which Report was accepted.

And the said Bill as amended was ordered to be engrossed and read a third time to-morrow.

Mr. Clench moved, seconded by Mr. Swayzie, that the Order of the Day for the second reading of the Bill for giving temporary relief to the Inhabitants of the District of London on to-morrow be discharged, and that the said Bill be now read a second time.

Ordered accordingly, and the said Bill was read for the second time.

Then Mr. Clench, seconded by Mr. Swayzie, moved that the House do now resolve itself into a Committee to take the Bill for giving temporary relief to the Inhabitants of the District of London into their consideration.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Washburn was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Washburn then informed the House that the Committee had gone through the consideration of the said Bill, which he was ordered to report without any amendment whenever the House would be pleased to receive the same.

Which Report was accepted.

Then Mr. Clench moved, seconded by Mr. Swayzie, that the said Bill be engrossed and read a third time to-morrow.

Ordered accordingly.

Mr. Thompson moved, seconded by Mr. Ferguson, that the engrossed Bill to ascertain the Boundary Lines throughout this Province be now read a third time.

The said Bill was accordingly read for the third time, passed, and signed by Mr. Speaker.

Then Mr. Clench moved, seconded by Mr. Nelles, That Messrs. Thompson and Swayzie carry up this Bill to the Legislative Council, and request their concurrence thereto.

Ordered accordingly.

Then, on motion of Mr. Rogers, seconded by Capt. Elliott, the House adjourned.

Tuesday, 29th. June, 1802.

Prayers were read.

Mr. Clench moved, seconded by Mr. Nellis, that leave of absence be granted to John Ferguson, Esq. one of the Members of this House, for twelve days.

Leave of absence was accordingly granted.

Mr. Thompson, first named to carry up to the Legislative Council the Bill to ascertain the Boundary Lines throughout this Province, reported that they did carry up the said Bill, and did request their concurrence thereto.

The engrossed Bill entitled "An Act for applying certain sums of money advanced by His Majesty through His Excellency the Lieutenant Governor, in pursuance of two addresses from this House" was read for the third time, which passed, and was signed by Mr. Speaker.

Agreeable to the Order of the Day was read for the third time, the engrossed Bill giving relief to the Inhabitants of the District of London. The same was passed and signed by Mr. Speaker.

Then was read the engrossed Bill to provide for the administration of justice in the District of Newcastle, for the third time.

Debates thereupon took place, after which,

Mr. Rogers moved, seconded by Mr. Sherwood, That the words which direct "that the Gaol and Court House shall be built at Newcastle" be expunged.

The same passed in the negative.

Then Mr. Rogers moved, seconded by Mr. Macdonell of York, That the title of this Bill be "An Act to provide for the administration of justice in the District of Newcastle."

Ordered accordingly.

The said Bill then passed and was signed by Mr. Speaker.

Mr. Clench then moved, seconded by Mr. Swayzie, that Messrs. Sheriff Macdonell and Nelles do carry up to the Honorable Legislative Council the Bill entitled "An Act for applying certain sums of money advanced by His Majesty through His Excellency the Lieutenant Governor, in pursuance of two addresses from this House, as also the Bill for giving relief to the Inhabitants of the District of London, and another Bill to provide for the administration of justice in the District of Newcastle, and to request their concurrence to the respective Bills.

Ordered accordingly.

Mr. Sheriff Macdonell, first named to carry up to the Hon. Legislative Council the said Bill did report that they had carried up the same, and did request their concurrence thereunto.

Agreeable to the Order of the Day, the House resolved itself into Committee to take up the further consideration of the Bill empowering the Governor, Lieutenant Governor, or person administering the Government, to license Advocates and Attorneys.

Mr. Speaker left the Chair.

Mr. Swayzie was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Swayzie informed the House that the Committee had gone through the consideration of the said Bill without any amendment, which he was ordered to report.

Then Mr. Clench moved, seconded by Mr. Sherwood, that the Report be not accepted.

A division thereupon took place, and the names were ordered to be taken down. and were as follows.

YEAS.

MESSRS. SHERIFF MACDONELL
MACDONELL (York)
SHERWOOD
ROGERS
CLENCH

NAYS.

MESSRS. SWAYZIE
NELLES
THOMPSON
FERGUSON
McCRAE
WASHBURN
SOL'R GENERAL
MACDONELL (Glengarry)
ELLIOTT

Carried in the negative by a majority of four.

The Report was then accepted.

Mr. Macdonell of York moved, seconded by Mr. Sherwood, that the following be an Additional clause, " And be it further enacted by the authority aforesaid that if any barrister or attorney now in practice, or hereafter to be appointed, by virtue of this Act, or otherwise, shall be guilty of any malversation or corrupt practice, and shall be convicted thereof by the verdict of a jury, it shall and may be lawful for the Judges of the Court of King's Bench or the majority of them, to order his or their names to be struck off the Roll, and not otherwise.

The House being divided Mr. Speaker gave his vote for the clause being added.

And it was ordered accordingly.

Then Mr. Rogers moved, seconded by Mr. Swayzie, that this Bill be engrossed and read a third time to-morrow.

Ordered accordingly.

On the motion of Mr. Sherwood, seconded by Mr. Swayzie, the House adjourned.

Wednesday, 30th. June, 1802.

Prayers were read.

Mr. Ferguson moved, seconded by Capt. Elliott, that the Bill entitled "An Act to authorize the Governor, Lieut. Governor, or the person administering the government, to license Advocates and Attorneys for the conduct of legal proceedings in this Province" be now read a third time.

Then Mr. Macdonell of York, seconded by Mr. Clench, moved an amendment that the said Bill be recommitted this day.

The same passed in the negative.

Then the main question was put.

A division thereupon took place, and the names were ordered to be taken down, and are as follows.

YEAS.	NAYS.
MESSRS. MACDONELL (Glengarry)	MESSRS. SHERWOOD
SHERWOOD	MACDONELL (York)
SOLICITOR GENERAL	CLENCH
FERGUSON	SWAYZIE
ROGERS.	
McCRAE	
NELLES	

Carried in the affirmative by a majority of three.

And the said Bill was read for the third time.

Then Mr. Ferguson moved, seconded by Mr. Rogers, that the clause No. 6 being the last in this Bill be expunged.

Debates ensued upon the point of privilege urged against putting the question upon the said motion because a day's previous notice had not been given thereof, pursuant to one of the rules of this House.

Mr. Swayzie then moved, seconded by Mr. Sheriff Macdonell, That the House do now adjourn.

Which passed in the negative.

Further debate then ensued.

Mr. Speaker having been called upon to decide, delivered his opinion in the following words:

I am of opinion that the notice which was given yesterday for the third reading of this Bill to-day is a sufficient previous information according to the rules of the House to permit the discussion of any question contained in the Bill.

Mr. Sherwood then appealed to the House for their opinion in the decision of the Speaker.

The question being put the House approved and confirmed Mr. Speaker's decision.

Then on motion of Mr. Macdonell of York, seconded by Mr. Ferguson, the House resolved itself into Committee on the Bill entitled "An Act to authorize the Governor, Lieutenant Governor, or person administering the Government to license Advocates and Attorneys for the conduct of legal proceedings in this Province.

Mr. Speaker left the Chair.

Mr. Swayzie was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Swayzie reported a progress, and asked for leave to sit again.

Which Report was accepted and ordered accordingly.

Mr. Solicitor General then gave notice that he will to-morrow move that the sense of this House be taken upon the construction that is to be put upon the fifth rule of the House.

Then Mr. Ferguson gave notice that he will on to-morrow move, That the House do resolve itself into a Committee of the whole House to take the Bill entitled "An Act to authorize the Governor, Lieut. Governor, or person administering the Government of this Province to license Advocates and Attorneys for the conduct of legal proceedings.

Mr. Sheriff Macdonell gave notice, That he will on to-morrow move to add a further clause to the said Bill.

On motion of Mr. Sherwood, seconded by Mr. Macdonell of York, the House adjourned.

Thursday 1st. July, 1802.

Prayers were read.

Then Mr. Macdonell of York did give notice that he will move to-morrow that Mr. Speaker do issue his Warrant directed to the proper Officer, for the return of a Member to represent in the present Parliament the Counties of Lennox and Addington, the representation thereof having been vacated, as the Member returned for the same having accepted an appointment as Collector of the Provincial Revenue of the Crown.

Mr. Ferguson then gave notice that he will on Saturday bring in a Bill to prevent any person holding Commissions of any nature whatever under the Government from holding a seat in the Assembly, and prevent such persons being elected in future.

Mr. Clench moved, seconded by Mr. Sherwood, for leave to bring in to-morrow a Bill to extend the benefit of an Act passed in the thirty seventh year of His Majesty's Reign entitled "An Act for the better regulating the practice of the Law to Attorneys and solicitors of His Majesty's Courts.

At Westminster, and to persons who shall have kept their terms in any of the Inns of the Courts of Westminster aforesaid.

Leave was accordingly granted.

Agreeable to the notice of yesterday, Mr. Solicitor General moved, seconded by Mr. Rogers, that it be resolved that it is the sense of this House that the fifth Rule of the House does not extend to any amendment proposed to any Bill before the House, but only to the moving of some new questions which have not already been before the House.

The House accordingly resolved the same.

Mr. Ferguson, seconded by Mr. Rogers, moved that the House do now resolve itself into a Committee of the whole House, to take into their further consideration the Bill to authorize the Governor, Lieut. Governor, or person administering the Government to license practitioners in the Law.

The House accordingly resolved itself into a Committee of the whole House on the said Bill.

Mr. Speaker left the Chair.

Mr. Swayzie took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Swayzie reported a progress, and asked for leave to sit again this Day.

Leave was accordingly granted.

A Message from the Honorable Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Legislative Council to inform this Honorable House that they did pass an Act to provide for the administration of justice in the District of Newcastle without any amendment.

And then withdrew.

Agreeable to leave granted, the House again resolved itself into Committee on the Bill for licensing Advocates and Attorneys in this Province.

Mr. Speaker left the Chair.

Mr. Swayzie again took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Swayzie reported that the Committee had gone through the consideration of the said Bill to which they had made some amendments, which he was directed to submit to the House whenever the House was pleased to receive the same.

The House resolved that the said Report be now accepted.

Then Mr. Ferguson moved, seconded by Mr. Rogers, that the said Bill be engrossed, and read for the third time to-morrow.

Ordered accordingly.

On motion of Mr. Macdonell of Glengarry, seconded by Mr. Washburn, the House adjourned.

Friday, 2nd. July, 1802.

Prayers were read.

A Message from the Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable Legislative Council to inform this House that they have concurred in passing the Bill entitled "An Act for applying a certain sum of money therein mentioned to make good certain moneys issued and advanced by His Majesty through the Lieutenant Governor, in pursuance of two several addresses of the Commons House of Assembly."

And then withdrew.

The engrossed Bill authorizing the Governor, Lieutenant Governor, or person administering the Government, to license Advocates and Attorneys in this Province was read for the third time.

Then Mr. Sherwood, seconded by Mr. Clench, moved that the following be added and do make a clause to the said Bill, "And be it enacted by the authority aforesaid that each and every Attorney shall be called to the Bar if he requires it at the expiration of three years after the date of his commission, provided, nevertheless, that nothing in this Act contained shall extend, or be construed to extend, to permit the Governor, Lieutenant Governor, or person administering the Government of this Province, to license any person who shall not have attained the age of twenty one years.

Ordered accordingly.

Mr. Sherwood further moved, seconded by Mr. Clench, that the following do make an additional clause to the said Bill "And be it further enacted by the authority aforesaid that nothing in this Act shall extend, or be construed to extend, to compel the Law Society to receive any persons so to be licensed unless the majority of the said Law Society shall be satisfied with him."

Then Mr. Macdonell of York, seconded by Mr. Sherwood, moved an amendment that after the word "licensed" be inserted "as a Barrister."

The same passed in the negative.

Then the main question was put, and the same was carried in the negative.

The Bill passed as amended, and was signed by Mr. Speaker.

Then Mr. Rogers moved, seconded by Mr. Sheriff Macdonell, that Messrs. Solicitor General and Macdonell of York do carry up this Bill to the Legislative Council and request their concurrence thereto.

Mr. Sherwood, seconded by Captain Elliott, moved that Mr. Rogers be added to the Messengers named to carry up the said Bill.

Which passed in the negative.

Then the question was put on the original motion and carried in the affirmative.

Mr. Solicitor General, first named to carry up the said Bill, reported that they had brought up the Bill and requested the concurrence of the Honorable Legislative Council in passing the same.

Then Mr. Solicitor General moved, seconded by Mr. Sheriff Macdonell, for leave to bring in a Bill to-morrow to provide for the payment of salaries to the Sheriffs in certain Districts in this Province.

Mr. Macdonell of York, seconded by Mr. Clench, moved an amendment that the word "to-morrow" be expunged, and the words "in three months" inserted in lieu thereof.

Carried in the affirmative, and ordered accordingly.

The Bill to amend an Act for the better regulating the practice of the Law was read for the first time.

On motion of Mr. Clench, seconded by Mr. Swayzie,

Ordered, That the said Bill be read a second time to-morrow.

Mr. Macdonell of York, seconded by Mr. Clench, moved that Mr. Speaker do issue his Warrant, directed to the proper Officer, for the return of a Member to represent in the present Parliament the counties of Lennox and Addington, the representation whereof has been vacated by the member returned for the same having accepted an appointment in the Collection of the Provincial Revenue of the Crown.

Which passed in the negative.

On motion of Mr. Rogers, seconded by Mr. Nelles, the House adjourned.

Saturday, 3rd. July, 1802.

Prayers were read.

Read for the second time, a Bill to extend the benefit of an Act passed in the thirty seventh year of His Majesty's reign, entitled "An Act for the better regulating the practice of the Law in this Province."

On motion of Mr. Clench, seconded by Mr. Swayzie, the House resolved itself into Committee to take into their consideration the said Bill.

Mr. Speaker left the Chair.

Mr. Sherwood was called to the chair of the Committee

Mr. Speaker resumed the Chair.

Mr. Sherwood informed the House that he was desired to report that the further consideration of the said Bill be postponed for three months.

Then Mr. Clench moved, seconded by Mr. Macdonell of York, that this Report be not accepted.

Mr. Clench then moved, seconded by Mr. Macdonell of York, that the Yeas and Nays be taken.

The names were accordingly taken down, and are as follows.

YEAS.	NAYS.
MESSRS. SWAYZIE	MESSRS. MACDONELL (Glen.)
CLENCH	WASHBURN
MACDONELL (York)	SOLICITOR GENERAL
ELLIOTT	ROGERS
SHERIFF MACDONELL	McCRAE
	NELLES

The same was passed in the negative by a majority of one.

The Report was then accepted and ordered accordingly.

Mr. Macdonell of York, seconded by Mr. Nelles, moved that the House do now resolve itself into a Committee to consider of an Address to His Excellency the Lieutenant Governor, praying that he cause certain repairs immediately necessary to be made upon the principal Public Highway which passes through this Province, the expenses of which the House will make good.

The House accordingly resolved itself into Committee.

Mr. Speaker left the Chair.

Mr. Swayzie was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Swayzie reported a progress, and asked for leave to sit again this day.

Leave was accordingly given.

A Message from the Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable Legislative Council to inform this House that they have passed the Bill for more uniform laying assessments throughout this Province, to which they had made some amendments, to which amendments they request the concurrence of this House.

And then withdrew.

Mr. Rogers, seconded by Mr. Clench, moved that the amendment made to this Bill be read this day three months.

Then Mr. Macdonell of York, seconded by Mr. Swayzie, moved in amendment that in lieu of the words " read this day three months " be inserted " be not taken into the consideration of this House."

The same passed in the negative.

Then the main question was put: a division thereupon took place, and the names being called for, they were taken down and are as followeth.

YEAS.	NAYS.
MESSRS. MACDONELL (Glen.)	MESSRS. ELLIOTT
SWAYZIE	SHERWOOD
CLENCH	WASHBURN
MACDONELL (York)	NELLES
McCRAE	SHERIFF MACDONELL
ROGERS	
SOLICITOR GENERAL	
THOMPSON	

The same was carried in the affirmative by a majority of three, and ordered accordingly.

Mr. Macdonell of York moved, seconded by Mr. Nelles, for leave to bring in a Bill on Monday for making more effectual provision for the Public Uses of the several Districts in this Province and for repealing certain Statutes therein mentioned.

Leave was given accordingly.

Agreeable to leave given the House again resolved itself into Committee to take up the further consideration of the Roads throughout this Province.

Mr. Speaker left the Chair.

Mr. Swayzie again retook the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Swayzie reported a progress, and asked for leave to sit again.

A Message from the Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable Legislative Council to inform this House that they have passed the Bill empowering His Excellency the Lieutenant Governor, or person administering the Government, to license Barristers and Attorneys in this Province, with some amendments, to which amendments they request the concurrence of this Honorable House.

And then withdrew.

Mr. Macdonell of York, seconded by Mr. Sherwood, moved that the House do not go into the consideration of the said amendments as tending to an invasion of the privileges of the Commons.

The same passed in the negative.

Then by order of the House, the amendments were read by the Clerk.

Mr. Rogers then moved, seconded by Captain Elliott, that this House do now resolve itself into a Committee to take these amendments into their consideration.

Then Mr. Macdonell of York, seconded by Mr. Clench, moved an amendment that the word "now" be expunged, and "on Monday" inserted.

Which passed in the negative.

The main question was put, a division ensued, and the names being called for were ordered to be taken down, and are as follows.

YEAS.	NAYS.
MESSRS. McCRAE	MESSRS. SHERWOOD
ELLIOTT	MACDONELL (York)
SHERIFF MACDONELL	CLENCH
MACDONELL (Glengarry)	
THOMPSON	
WASHBURN	
SOLICITOR GENERAL	
ROGERS	
NELLES	
SWAYZIE	

The same was carried in the affirmative by a majority of seven.

The House then resolved itself into a Committee to take into their consideration the amendments made by the Legislative Council.

Mr. Speaker left the Chair.

Mr. Thompson was called to the chair of the Committee and did there inform the Speaker that the Committee was not competent to go into the consideration of the amendments made to the said Bill by the Legislative Council for want of a quorum.

Mr. Speaker then resumed the Chair.

And did order the names of the Members present to be taken down, and are as follows.

Messrs. Washburn, Nelles, Elliott, Sheriff Macdonell, Macdonell (Glengarry), McCrae, Rogers, Solicitor General, Thompson.

Mr. Speaker then adjourned the House for want of a quorum.

Monday, 5th. July, 1802.

Prayers were read.

Mr. Thompson reported in the following words.

Mr. Speaker,

The Committee of the whole House to whom was referred the consideration of the amendments made by the Honorable Legislative Council to a Bill to authorize the Governor, Lieutenant Governor, or person administering the Government to license practitioners in the law, could not proceed agreeable to the order of the House for want of a quorum, as a number of the Committee left the House immediately after he took the Chair.

(Signed) Timothy Thompson,
Chairman.

Mr. Clench gave notice that he will on to-morrow move that Mr. Bennet, Printer, be directed to lay before the House an account of the printing, setting forth the different items done for this House since the last Session.

Mr. Macdonell of York gave notice that he will move tomorrow that the House do take order for making good to the late Adjutant General of the Militia certain arrears of pay due to him, and heretofore admitted and allowed by the Commons House of Assembly to be a Public Debt answerable by the Provincial Funds.

The House then resolved itself into Committee to take up the further consideration of the state of the Roads throughout this Province.

Mr. Speaker left the Chair.

Mr. Swayzie took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Swayzie reported a progress, and requested leave to sit again.

Leave was accordingly granted.

Mr. Ferguson then moved, seconded by Mr. Rogers, that the Report be not accepted.

Which passed in the negative.

And leave was accordingly granted to sit again.

Then Mr. Speaker informed the House that the Clerk had made application to him as follows.

Mr. Speaker,

The Clerk begs leave to inform this Honorable House that the wages now due the Copying Clerks exceed the sum appropriated by law for that purpose. He therefore prays that he may receive the permission and sanction of this House further to employ copying clerks to assist him in doing his duty.

Donald McLean,
Cl'k of Assembly.

Commons House of Assembly
5th. July.

Then Mr. Macdonell of York moved, seconded by Mr. Ferguson, That it be resolved by this House that it is competent for the Speaker to authorize the Clerk to employ such necessary assistance as he may require on account of the House.

The House resolved the same, and ordered accordingly.

Mr. Rogers moved, seconded by Mr. Solicitor General, that this House do concur in the amendments made by the Honorable Legislative Council to the Bill entitled " An Act to authorize the Governor, Lieutenant Governor or person administering the Government to license Advocates and Attorneys for the conduct of legal proceedings in this Province.

Thereupon debates and points of order and privilege ensued.

Then Mr. Macdonell of York moved, seconded by Mr. Swayzie, that this House do now adjourn.

The same passed in the negative.

Then the Bill for the more regularly laying of assessments throughout this Province was read for the first time.

Mr. Macdonell of York then moved, seconded by Mr. Swayzie, that the said Bill be read a second time on Monday the nineteenth instant and in the meantime Mr. Speaker do direct the same to be put to press, so that ten copies thereof be distributed without delay to each Member, the expenses of printing which to be answered by the Clerk, and allowed to come in as an item in its contingent account.

Ordered accordingly.

On motion of Mr. Rogers, seconded by Mr. Ferguson, that this Honorable House do now resolve itself into a Committee to take into their consideration the amendments made to the Bill to authorize the Governor, Lieutenant Governor or person administering the Government to license Advocates and Attorneys in this Province.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Thompson took the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Thompson informed the House that the Committee did direct him to report the Bill as amended by the Honorable Legislative Council, whenever the House would be pleased to receive the same.

Mr. Sherwood then moved, seconded by Mr. Clench, that the Report be not received upon the following grounds.

1. That the Bill now before the House is according to the known usages and customs of Parliament a money Bill, and cannot be amended by the Upper House without an infringement of the privileges of the Commons.

2. That the Bill has been once thrown out during this Session, and cannot be again brought in during this Session consistent with the Rules of the House.

3. That a Bill sent a second time in the same Session from the Upper House to this House is indecorous.

A division thereupon took place, and the names were ordered to be taken down, and are as follows.

YEAS.

MESSRS. SHERWOOD
MACDONELL (York)
CLENCH
SWAYZIE

NAYS.

MESSRS. ELLIOTT
SHERIFF MACDONELL
THOMPSON
FERGUSON
MACDONELL (Glen.)
SOLICITOR GEN.
WASHBURN
ROGERS
McCRAE
BEASLEY
NELLES

The same was carried in the negative by a majority of seven.

The Report was then accepted and ordered accordingly.

Mr. Rogers then moved seconded by Mr. Ferguson that the said Bill be engrossed as amended and read a third time to-morrow.

Ordered accordingly.

Then on motion of Mr. McCrae, seconded by Mr. Swayzie. the House adjourned.

Tuesday, 6th. July, 1802.

Prayers were read.

Mr. Ferguson moved, seconded by Mr. McCrae, That it be considered on to-morrow that the resolution accompanying any motion shall be taken to be a part thereof.

Mr. Clench moved, seconded by Mr. Swayzie, That so much of the rule of this House be dispensed with as says when a Member intends to move any question he shall give one day's previous notice.

The same passed in the negative.

Then was read for the third time the engrossed Bill to authorize the Governor, Lieutenant Governor, or person administering the Government of this Province, to license practitioners in the Law.

Mr. Clench gave notice that he will on to-morrow move an Address to His Excellency the Lieutenant Governor, that out of the unappropriated monies now in the funds a sum of money not exceeding one hundred pounds be applied for the purpose of purchasing books which are necessary for this House, to be in the possession of and to be laid out at the discretion of the Speaker.

Mr. Macdonell of York moved, seconded by Mr. Swayzie, that the amended Bill as now read do not pass, the same being a confused jumble of amendments made in the respective Houses, and coming in an unparliamentary form. and being in form and substance monstrous and incongruous.

The House divided, and the names were ordered to be taken down, and are as follows.

YEAS.	NAYS.
MESSRS. SHERIFF MACDONELL	MESSRS. ELLIOTT
MACDONELL (York)	THOMPSON
CLENCH	MACDONELL (Glen.)
SWAYZIE	WASHBURN
	SOLICITOR GEN.
	ROGERS
	McCRAE
	BEASLEY
	NELLES

Carried in the negative by a majority of five.

The Bill then passed, and was signed by Mr. Speaker.

Mr. Rogers then moved, seconded by Mr. Nelles, that Mr. Ferguson and Mr. McCrae be a Committee to inform the Honorable Legislative Council that this House has concurred in the amendments made to the Bill to authorize the Governor, Lieutenant Governor, or person administering the Government, to license practitioners in the Law, and to repeal part of an Act passed in the thirty seventh year of His Majesty's Reign entitled "An Act for the better regulating the Practice of the Law."

Ordered accordingly.

Mr. Ferguson, first named, did inform the House that they had carried up the Bill authorizing the Governor, Lieutenant Governor, or person administering the Government, to license practitioners in the Law to the Honorable Legislative Council, and did inform them that this House concurred to the amendments made by them.

Mr. Macdonell of York informed the House that he will move to-morrow that certain of His Majesty's instructions to the Governor, Lieutenant Governor, or person administering the Government for the time being, respecting the giving, reserving, or withholding of the Royal assent to or from Bills, and heretofore communicated to the Provincial Parliament, be again read to-morrow, to the end that the same may be inserted upon the minutes, and entered into and upon the Journals of this day.

Mr. Ferguson, seconded by Mr. McCrae, moved that this House do now adjourn.

Then Mr. Macdonell of York moved an amendment, seconded by Mr. Swayzie, that this House do meet again at four o'clock this afternoon.

The same passed in the negative.

Then the main question was put and carried in the negative.

Mr. Macdonell of York moved, seconded by Mr. Sheriff Macdonell, that the House do now take Order for making good to the late Adjutant General of the Militia the arrears of pay due him.

Mr. Sheriff Macdonell, seconded by Mr. Macdonell of York, moved an amendment,—that the House do now resolve itself into Committee to take the same subject into consideration.

The same passed in the negative.

Then the original motion was put and carried in the negative.

The House then resolved itself into Committee to go into the further consideration of the Roads throughout this Province.

Mr. Speaker left the Chair.

Mr. Swayzie took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Swayzie reported that it is the opinion of the Committee that the sum of three hundred and fifty pounds be laid out under the direction of His Excellency the Lieutenant Governor for mending, repairing and bridging such parts of the Public Central road through this Province as cannot be amended by Statute Labour, the same passing through tracts of land occupied by Indians or Natives.

Which Report was accepted and ordered accordingly.

Then Mr. Solicitor General moved, seconded by Mr. Swayzie, that Mr. Macdonell of York and Mr. Macdonell of Glengarry be a Committee to draft an Address to His Excellency the Lieutenant Governor, requesting him to carry into effect the resolution of this House respecting the roads, and to report the same to-morrow.

On motion of Mr. Macdonell of York, seconded by Mr. Nelles, the House adjourned until eight o'clock in the forenoon to-morrow.

Wednesday, 7th. July, 1802.

Prayers were read.

Mr. Macdonell of York, one of the Committee named to draft an Address to His Excellency the Lieutenant Governor, reported that they had prepared an Address, which was then read, and approved, and is as follows.

To His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada and Lieutenant General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada, &c. &c.

We, His Majesty's most dutiful and loyal subjects the Commons of Upper Canada in Parliament assembled, having taken into mature consideration the condition of such part of the principal highway leading throughout and connecting together the several Districts of this Province as are laid over lands in the occupation of Indians or aboriginal natives who are not in the habit of performing Statute Labour on the roads, and being fully impressed with the necessity of putting the same into a state of passable repair do most respectfully pray that it may please Your Excellency to order that three hundred and fifty Pounds be advanced and laid out under the directions and at the disposition of Your Excellency in the repairing and amending such part of the said Highway, and in the erecting of bridges across the river intersecting the same as may most immediately benefit the Public at large. Which money the Commons will make good during the next Session of Parliament.

Commons House of Assembly,
7th. July, 1802.

Then Mr. Macdonell of York moved, seconded by Mr. Swayzie, that Mr. Clench, Mr. Nelles, and Mr. Beasley be a Committee to wait upon His Excellency the Lieutenant Governor to know at what time it will be his pleasure to receive the said Address, and be also a Committee to present the same to him at such time as may be appointed.

Ordered accordingly.

Mr. Clench moved, seconded by Mr. Macdonell of York, agreeable to notice given yesterday, that this House do address His Excellency the Lieutenant Governor to advance out of the unappropriated moneys in the fund a sum not exceeding one hundred Pounds, for the purpose of purchasing Books which are necessary for this House, to be in the possession of, and to be laid out at the discretion of Mr. Speaker.

The same was ordered accordingly.

Mr. Ferguson moved, seconded by Mr. Nelles, that this House do now take into their consideration whether any resolution accompanying a motion shall be a part of such motion or not.

Mr. Solicitor General then moved, seconded by Captain Elliott, an amendment that all the motion be expunged after the word "that," and that the following be inserted "that this House do now resolve that so much of Mr. Sherwood's motion as contains reasons or resolutions for making the same be expunged from the Journals for the following reasons.

1. Because he thinks that the motion should stand by itself, and not be accompanied with any reasons except such as Mr. Sherwood might be pleased to explain in his place to this House.

2. Because this House previously to the making of such motion had not concurred in opinion that the statement in Mr. Sherwood's motion were admitted by it.

3. Because it is the opinion of this House that much unnecessary trouble will follow such a practice, as it will take up much time of the Clerk as well as much stationery to be obliged to insert on the Journals every gentleman's reasons for making a motion.

4. Because it is not proper that such a motion should be accompanied with such reasons, supposing them to be good ones, when so necessary and useful a Bill as the one in question is in agitation.

5. Because much time will be taken up and this Session will not be long enough to discuss the propriety of such resolutions being added to motions, and think it will therefore be best that this House do now expunge the resolutions and leave the discussion of the same to the next Parliament."

Passed in the negative.

Then the main question was put, and carried in the negative.

Then by order was read an Address to His Excellency the Lieutenant Governor, to which the House concurred, and ordered that Messrs. Clench, Nelles and Beasley do wait upon His Excellency the Lieutenant Governor to know when he will be pleased to receive the same, and is as followeth.

To His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada and Lieutenant General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada, &c. &c.

May it please Your Excellency,

We, His Majesty's most dutiful and loyal subjects, the Commons of Upper Canada in Parliament assembled, being desirous of providing certain Books for the use of Parliament do most respectfully pray that it may please Your Excellency to issue your Warrant in favor of Mr. Speaker for the sum of one hundred Pounds to be employed in the purchase of such Books, conformably to a resolution of this House in that behalf; which sum of money the Commons will make good during next Session of Parliament.

Commons House of Assembly,
York, 7th. July, 1802.

On motion of Mr. Nelles, seconded by Mr. Swayzie, the House adjourned for one hour.

The House being met, Mr. Sheriff Macdonell, seconded by Mr. Clench, resolved that ten Pounds five Shillings and nine pence currency be paid to William Allan, Esquire, for contingent expenses, and that the Speaker be authorized to pay the same out of the moneys now in his hands.

Ordered unanimously.

Mr. Clench, one of the messengers named to wait upon His Excellency the Lieutenant Governor to know when he would be pleased to receive the two Addresses of this day, informed the House that they had not an opportunity of seeing His Excellency, as he was away from home.

Mr. Speaker read a paper presented to him by the Clerk of the House, and is as follows.

The Clerk has the honor of stating to Mr. Speaker that a supply of stationery and other necessaries will be wanting for the use of the next Session of Parliament, and respectfully submitting the expediency of making provision for the same.

Donald MacLean,
Clerk of Assembly.

Commons House of Assembly
7th. July 1802.

Then Mr. Macdonell of Glengarry, seconded by Mr. Swayzie, moved that the contingent accounts of the Clerk of this House be now laid before the House, and that the same be taken into consideration.

Ordered accordingly.

Then the said accounts were laid before the House.

The Honorable House of Assembly in Account current with Donald McLean, Clerk, for disbursements made by him for Copying Clerk, Stationery, &c.

Debt'r.

1801					
July	15	To Cash paid D. Philips per receipt	£1.	10.	0
		To do. S. D. Cousins per do.	2.	0.	0
1802					
April	26	To do. paid Mr. Neilson account for stationery purchased agreeable to the order of the House of the 8th. July, 1801, as per receipt,	22.	10.	1
May	5	To cartage of do. from Montreal to Lachine	0.	3.	9
		To cash paid Mrs. Duncan Cameron for stationery and as per receipt	1.	9.	8
July	1,	To do. paid C. H. S. Willcocks, Copying Clerk, as per his account current and receipt,	34.	5.	0
"	7	To balance brought down	12.	3.	6

Cr.

1801					
July	3	By cash received in pursuance of an Address to His Excellency the Lieutenant Governor of this date for Copying Clerks,	£25.	0.	0.
“	6	By cash received in pursuance of an Address to His Excellency the Lieutenant Governor of this date for the purchase of stationery for the Session of 1802,	£25.	0.	0
1802.					
July	7	By balance due to D. McLean,	12.	8.	6
		Dollars at five shillings	£62.	8.	6

Errors excepted—York, 7th. July, 1802.
D. McLean, Cl'k.

It was then resolved that the said account be examined by Mr. Speaker, and he order payment of the whole or any part that he thinks a legal claim.

Then Mr. Macdonell of York moved, seconded by Mr. Clench, That it be resolved as the present Session of Parliament is far advanced, and the prorogation thereof to be speedily expected, that Mr. Speaker be authorized to certify under his hand to the Lieutenant Governor the expediency of advancing a certain sum of money, not exceeding seventy five pounds, to enable the Clerks to satisfy sundry small contingent expenses attending the present Session of Parliament, and also to enable them to provide a suitable and sufficient supply of stationery for the future use of the two Houses of Parliament.

And that this House will make good during its next Session such money as may under such certificate be so advanced, for the due application of which the Clerks shall be accountable to the House next Session.

Ordered accordingly.

Then Mr. Speaker read a paper handed to him by the Clerk, and is as follows.

The Clerk has the honor of representing to Mr. Speaker that the place where the Records and documents of the Honorable the Commons House of Assembly are now lodged is not sufficiently secure, the same having been broken open during the recess of Parliament. He therefore thinks it his duty to pray that order be taken for the safe custody of the said Records and Documents, and in such manner that he may have access to the same at all times he thinks necessary.

Donald MacLean,
Cl'k. Assembly.

Commons House of Assembly
7th. July, 1802.

Mr. Macdonell of York, seconded by Mr. Clench, moved that it be resolved as from unavoidable circumstances the Committee appointed to present the two Addresses of this day to His Excellency the Lieutenant Governor have not been able to present the same, that the House do stand pledged to make good the moneys voted in the said Addresses should the same be applied to the purposes and uses intended by the Commons upon the intimation of Mr. Speaker.

A division ensued, the names were ordered to be taken down, and are as follows.

YEAS.	NAYS.
MESSRS. CLENCH	MESSRS. SOLICITOR GENERAL
ELLIOTT	SHERWOOD
MACDONELL (Glen.)	FERGUSON
NELLES	ROGERS
MACDONELL (York)	WASHBURN
SWAYZIE	
SHERIFF MACDONELL	

The same was carried in the affirmative by a majority of three, and ordered accordingly.

A Message from His Excellency the Lieutenant Governor by Mr. George Law, Gentleman Usher of the Black Rod.

Mr. Speaker,

I am commanded by His Excellency the Lieutenant Governor to acquaint this Honorable House that it is His Excellency's pleasure that the Members thereof do forthwith attend upon His Excellency in the Legislative Council Chamber.

Accordingly Mr. Speaker with the House went up to attend His Excellency the Lieutenant Governor, when His Excellency was pleased to give in His Majesty's name the Royal assent to the following Public and Private Bills.

An Act for the better securing titles to the land in this Province.

An Act to declare and ascertain the rates which the Receiver General shall take and retain to his own use out of the moneys passing through his hands, which are subject to the disposition of the Parliament of this Province.

An Act to provide for the administration of justice within the District of Newcastle.

An Act to enable the Governor, Lieut. Governor, or person administering the Government of this Province to appoint one or more Port or Ports, place or places of entry within this Province, and to appoint one or more Collector or Collectors at the same respectively.

Mr. Speaker then said.

May it please Your Excellency to approve of the Bill which the House of Assembly, with the concurrence of the Legislative Council, have passed for aid to His Majesty.

An Act for applying a certain sum of money therein mentioned to make good certain moneys issued and advanced by His Majesty through the Lieutenant Governor in pursuance of two several addresses of the Commons House of Assembly.

To which His Excellency was pleased to give the Royal assent in His Majesty's name.

And then His Excellency was pleased to make the following Speech to both Houses.

Honorable Gentlemen of the Legislative Council
and
Gentlemen of the House of Assembly

I now close this Session of Parliament, as it is my wish that your duty to the Public should as little as possible interrupt your private concerns.

The Bill which you have passed for the better ascertaining and securing the titles to lands in this Province will, I hope, contribute to place real property therein on a sure and permanent foundation, and under the bounty of the Crown, from which that property was originally derived, highly conducive to the good of the subject.

I trust that the other Bills which you have passed will each of them respectively promote the object of all legislation, the general good.

The erecting of a new District gives me particular satisfaction, being an indication of the increasing population of this Province, one of the happy effects of that plenty and security which by the blessing of Providence we at present possess.

I think it proper to inform you that it is my intention to meet you next year during the winter when you will have an opportunity of resuming your labors at a time more convenient to yourselves, and equally advantageous to the public.

In the meantime you will be enabled at your respective places of abode, by your example and influence, to add force and effect to the laws already enacted, and by careful observation to discover what yet remains to be done for the well-being and prosperity of this Province.

After which the Honorable Speaker of the Legislative Council said:

Gentlemen of the Legislative Council and Gentlemen of the House of Assembly,—

It is His Excellency the Lieutenant Governor's will and pleasure that the Provincial Parliament be prorogued until Saturday the fourteenth day of August next, to be then here held, and this Provincial Parliament is accordingly prorogued until Saturday the fourteenth day of August.

I do hereby certify that the above and what is written on the foregoing sheets is a true copy of the Journal of the House of Assembly of Upper Canada, being the second Session of the third Provincial Parliament assembled at York on the 25th. day of May last agreeable to the proclamation of His Excellency Peter Hunter, Esquire, Lieutenant Governor of Upper Canada, and Lieutenant General commanding His Majesty's Forces in Upper and Lower Canada, and prorogued by His Excellency on the 7th. instant.

Donald MacLean,
Cl'k. Assembly.

York, Upper Canada,
15th. July 1802.

[Journals of the House of Assembly of Upper Canada in 1802. Certified to be a true Copy.

George Mayer,
Librarian & Keeper of Records.

Colonial Office, 18th. July 1855.]

Journal

OF THE

HOUSE OF ASSEMBLY

OF

Upper Canada

1803

Journal
OF THE
HOUSE OF ASSEMBLY
OF
Upper Canada,
1803.

PETER HUNTER, Lieutenant Governor.

PROCLAMATION.

George the Third, by the Grace of God of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith—

To all our loving subjects, GREETING—

Whereas by our prorogation on the seventh day of July last we thought fit, by and with the advice of our Executive Council, to prorogue our Provincial Parliament until the fourteenth day of this present month of August, at which time in our Town of York you were held and constrained to appear.

But we, taking into our Royal Consideration the ease and convenience of our loving subjects, have thought fit, by and with the advice and consent of our Executive Council, to relieve you and each of you that on the eighteenth day of September next ensuing you meet us in our Provincial Parliament in our Town of York, there to take into consideration the state and welfare of Our Province of Upper Canada, and therein to do as may seem necessary; herein fail not.

In testimony whereof we have caused these our letters to be made patent, and the Great Seal of our said Province to be hereunto affixed;

Witness our trusty and well beloved Peter Hunter, Esquire, our Lieutenant Governor of our said Province, and Lieutenant General Commanding our forces in our Provinces of Upper and Lower Canada, at York, this sixth day of August, in the year of Our Lord one thousand eight hundred and two, and in the 42nd year of our reign. P. H.

William Jarvis,
Secretary.

By a further proclamation of His Excellency Peter Hunter, Esquire, Lieutenant General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada, &c. &c. dated at York the sixteenth day of September, one thousand eight hundred and two, the meeting of the Legislative Council and House of Assembly stands prorogued to the twenty fifth day of October, one thousand eight hundred and two.

By a further proclamation of His Excellency, Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada, and Lieutenant General commanding His Majesty's Forces in the Provinces of Upper and Lower Canada, &c. &c. dated at York the twenty third of October, one thousand eight hundred and two, the meeting of the Legislative Council and House of Assembly stands prorogued to the second day of December, one thousand eight hundred and two.

By a further Proclamation of His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada, and Lieutenant General commanding His Majesty's Forces in the Provinces of Upper and Lower Canada, &c. &c. dated at York the twenty ninth day of November, one thousand eight hundred and two, the meeting of the Legislative Council and House of Assembly stands prorogued to the fifth day of January, one thousand eight hundred and three.

By a further Proclamation by His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada, &c. &c. dated at York the eleventh day of December, one thousand eight hundred and two, the meeting of the Legislative Council and House of Assembly stands prorogued to the seventeenth day of January, one thousand eight hundred and three.

PETER HUNTER, Lieutenant Governor.

PROCLAMATION.

22nd. January 1803.

George the Third, by the Grace of God, of the United Kingdoms of Great Britain and Ireland King, Defender of the Faith.

To all our Loving Subjects, Greeting.

Whereas by our Proclamation bearing date the fifteenth day of this instant January, we thought fit. by and with the advice of our Executive Council, to prorogue our Provincial Parliament of Upper Canada until the twenty fourth day of January instant: at which time in our Town of York you were held and constrained to appear. But we taking into Our Royal consideration the ease and convenience of our loving subjects have thought fit, by and with the advice of our Executive Council, to release you and each of you of your attendance at the time aforesaid, hereby revoking, and by these presents enjoining you and each of you that on the twenty-seventh of this present month of January you do meet us in our Provincial Parliament in our Town of York in the actual despatch of Public Business, and to take into consideration the state and defense of our Province of Upper Canada, and therein to do as may seem necessary. Herein fail not.

In testimony Whereof we have caused these our letters to be made patent, and the seal of our said Province to be hereunto affixed.

Witness our trusty and well beloved Peter Hunter, Esquire, our Lieutenant Governor of our said Province, and Lieutenant General Commanding our forces in our Provinces of Upper and Lower Canada, at York, this 22nd day of January, in the Year of Our Lord one thousand eight hundred and three, and forty-third of our reign.

P. H.

By His Excellency's Command.

William Jarvis,
Secretary.

HOUSE OF ASSEMBLY, UPPER CANADA.

York, Thursday 27th January, 1803.

At the third Session of the third Parliament of Upper Canada, begun and held in the Town of York on Thursday, the twenty-seventh day of January, in the forty-third year of the reign of our Sovereign Lord George the Third, by the Grace of God of the United Kingdom of Great Britain and Ireland, Defender of the Faith, and so forth; and in the year of our Lord One thousand eight hundred and three:

His Excellency the Lieutenant Governor, having prorogued the meeting of Parliament until the fourteenth day of August, 1802, and by his Proclamations annexed having further prorogued the same from time to time until this day;

The House being met,

Mr. Solicitor General delivered a written Message from His Excellency the Lieutenant Governor, which was read by the Clerk at the Table, and is as follows.

PETER HUNTER, Lieutenant Governor.

The Lieutenant Governor, having reason to apprehend that the Honorable David William Smith, the present Speaker of the House of Assembly, who is now absent from the Country, will not return to it in time to discharge the duties of that office during the present Session, is desirous that the House will immediately proceed to the election of another person to be speaker, and that the person so elected be presented to the Lieutenant Governor on Thursday next at one o'clock in the Legislative Council Chamber.

P. H.

York, 25th January, 1803.

Then A. Macdonell, Esquire, of York, standing up addressed himself to the Clerk, who standing up pointed to him and then sat down, and said:

Mr. MacLean,

I propose to the House for their Speaker David McG. Rogers, Esquire,— in which motion he was seconded by Richard Beasley, Esquire.

The Clerk then put the question whether it be the pleasure of this House that David McG. Rogers, Esquire, do take the chair of this House as their Speaker.

The House divided, and the names were taken down as follows:

YEAS	NAYS
MESSRS. MACDONELL (York)	MESSRS. SOLICITOR GEN.
FERGUSON	SHERIFF MACDONELL
BEASLEY	ELLIOTT
THOMPSON	NELLES
	CLENCH
	WASHBURN

The same was carried in the negative by a majority of two.

Timothy Thompson, Esquire, then stood up, and addressing himself to the Clerk, who standing up pointed to him and then sat down, said,

I propose to the House for their Speaker Mr. Solicitor General,— in which motion he was seconded by John Ferguson, Esquire.

A division thereupon took place, and the names were taken down, and are as follows:

YEAS.	NAYS.
MESSRS. THOMPSON	MESSRS. BEASLEY
NELLES	SHERIFF MACDONELL
CLENCH	ELLIOTT
WASHBURN	FERGUSON
	ROGERS

The same passed in the negative by a majority of two

Then A. Macdonell, of York, Esquire, stood up, and addressing himself to the Clerk, who standing up pointed to him and then sat down, proposed to the House for their Speaker Mr. Sheriff Macdonell, in which he was seconded by Ebenezer Washburn, Esquire,

A division thereupon took place, and the names were taken down, and are as followeth:

YEAS.	NAYS.
MESSRS. ELLIOTT	MESSRS. FERGUSON
SOLICITOR GEN'L	BEASLEY
MACDONELL (York)	ROGERS
WASHBURN	THOMPSON
	NELLES
	CLENCH

The same was carried in the negative by a majority of two.

John Ferguson, Esquire, then stood up, and addressing himself to the Clerk, who standing up pointed to him and then sat down, proposed to the House Richard Beasley, Esquire, as their Speaker,—in which motion he was seconded by David McG. Rogers, Esquire.

A division thereupon took place, and the names were taken down as follows:

YEAS	NAYS
MESSRS. FERGUSON	MESSRS. ELLIOTT
MACDONELL (York)	SHERIFF MACDONELL
ROGERS	SOLICITOR GENERAL
THOMPSON	WASHBURN
NELLES	
CLENCH	

The Clerk having declared Richard Beasley, Esquire, duly elected by a majority of two, he was led to the Chair by David McG. Rogers and Ralph Clench, Esquires, where being placed he expressed himself truly sensible of the high honor the House had been pleased to confer upon him.

The Mace was then laid on the table.

Then Mr. Rogers, addressing himself to Mr. Speaker elect, moved, seconded by Mr. Nelles, that this House do now adjourn until one o'clock this afternoon.

The House accordingly adjourned.

The House being met accordingly to adjournment, and Mr. Speaker elect having taken the Chair,

A Message was brought by Mr. George Law, Gentleman Usher of the Black Rod,

Gentlemen of the House of Assembly,

It is His Excellency the Lieutenant Governor's pleasure that this Honorable House do immediately attend His Excellency in the Legislative Council Chamber.

Accordingly Mr. Speaker elect with the Members went up to the Legislative Council Chamber.

And then the Honorable Speaker of the Legislative Council asked if they had chosen their Speaker.

Then Richard Beasley, Esquire, was presented as their Speaker elect.

Then the Honorable Speaker of the Legislative Council said,

The Lieutenant Governor commands me to say that he is perfectly satisfied with the choice of the Assembly, and doth allow and confirm you, Mr. Beasley to be its Speaker.

Then Mr. Speaker addressed himself.

May it please Your Excellency,

The honor which the House of Assembly have conferred in choosing me to be their Speaker is as great as the important duties of the office are above my abilities. My zeal, however ardent, not sufficiently compensating for my incapacity, I most respectfully implore the excuse and commands of Your Excellency.

I most humbly claim in the name of the Assembly the freedom of speech and generally all the like privileges and liberties as are enjoyed by the Commons of Great Britain, our Mother Country as they were heretofore granted to the House of Assembly the first Session of the third Parliament of this Parliament.

Then the Honorable Speaker, of the Legislative Council said,

The Lieutenant Governor commands me to assure the Assembly that it may depend on the unlimited enjoyment of all its privileges.

The House being returned, Mr. Speaker reported that the House had been in the Legislative Council Chamber, where his Excellency had been pleased to approve the choice the House had made of him to be their Speaker, and that he had in their name and on their behalf by humble petitions to His Excellency laid claim to all their rights and privileges, which His Excellency had been pleased to allow.

Then Mr. Speaker did again return his humble thanks to the House for the very great honor they had now done him, and did assure them of his fidelity in their service, humbly requesting their protection and assistance to him in the discharge of his great trust, and of their indulgence to him in the pardon of his failings and imperfections in it.

Mr. Speaker further reported that when the house attended His Excellency this day in the Legislative Council Chamber, His Excellency was pleased to make a speech to both Houses of the Provincial Parliament of which Mr. Speaker said he had to prevent mistakes obtained a copy, which he read to the House, and is as followeth. Videlicet.

Honorable Gentlemen of the Legislative Council

and

Gentlemen of the House of Assembly:—

You are now assembled at a season of the year when I trust your attendance upon your Public duty will least interfere with your private concerns.

It is highly pleasing to me that I have to congratulate you on the termination of hostilities between our Mother Country and the other belligerent Powers of Europe and in announcing to you that since the last Session I have received Official information of the signature of the definitive Treaty of Peace.

I have also particular satisfaction in notifying to you the present prospect of an increase in that branch of our Revenue which arises from the importation of merchandise from the United States into this province. At the same time I think it necessary to call your attention to a revision of that law by which those duties were imposed, fully relying that your wisdom and exertions will be abundantly adequate to the introduction of such better regulations and provisions as will ensure to this Province those duties which, according to the true spirit and meaning of the law, ought to be yielded.

I am also fully persuaded that you will find it an object worthy your mature and deliberate consideration to adopt such amendments in all our other Provincial Laws, relating to our internal revenues, as will prove an efficient remedy against evasion and fraud (an evil now existing in too great an extent) and as will effectually enforce a just and equitable collection of those very light and easy taxes which have been imposed to meet the public exigencies, and which the resources of His Majesty's subjects of Upper Canada are fully equal to discharge.

Gentlemen of the House of Assembly,

I have ordered the public Accounts to be laid before you, and I am persuaded you will bestow upon them that careful attention which the nature of the subject requires.

Honorable Gentlemen of the Legislative Council
and
Gentlemen of the House of Assembly,

Since I last met you in this place I have issued a proclamation and caused as general a circulation of it throughout the Province as could be provided, notifying to the Public the times and places when the Commissioners for ascertaining and securing titles to lands will attend for the final accomplishment of that business, and I trust that the labours and exertions of those engaged in it will ultimately secure the King's subjects indisputable titles to their landed property, an object so truly essential to the interests and happiness of them and their posterity as to be almost inestimable.

The confidence I have in your wisdom and experience, as well in your knowledge, of the present situation and circumstances of the Province, render it unnecessary that I should point your attention to the enacting of any particular laws in addition to our present code, resting fully assured that giving energy to the King's Government and passing such Statutes as will ultimately promote the happiness and prosperity of his people will in all our deliberations be the principal objects ever kept in view, the attainment of which I feel confident will engage your utmost assiduity and exertions.

Then Mr. Solicitor General moved, seconded by Mr. Clench, that Mr. Rogers, Mr. Ferguson, and Mr. Thompson be a Committee to draft an Address to His Excellency the Lieutenant Governor in answer to His Excellency's Speech, and present the same to this House for its approbation to-morrow.

Ordered unanimously.

Mr. Rogers then moved, seconded by Mr. Nelles, that Mr. Solicitor General and Mr. Clench be added to the Committee.

Ordered accordingly.

Then Mr. Sheriff Macdonell gave notice that he will on to-morrow move to have the quorum reduced from eleven to nine.

On motion of Mr. Rogers, seconded by Mr. Nelles, the House adjourned.

Friday, 28th January, 1803

Mr. Solicitor General, from the Committee appointed to draft an Address of Thanks to His Excellency the Lieutenant Governor for his Speech to both Houses on opening the present Session, reported that the Committee had prepared an Address accordingly, which he was directed to submit to the House whenever it should be pleased to receive the same.

Ordered that the Report be now received.

Which Report he read in his place, and then delivered in the same at the Table.

On motion of Mr. Rogers, seconded by Mr. Nelles, the House resolved itself into Committee to take up the consideration of the answer to His Excellency's Speech to both Houses of Parliament.

Mr. Speaker left the Chair.

Mr. Sheriff Macdonell was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Sheriff Macdonell reported that the Committee had gone through the draft of an Address to His Excellency the Lieutenant Governor, to which they had made some amendments, which he was directed to report to the House whenever it shall be pleased to receive the same.

Ordered, That the report be now received.

Which report was accepted, and the Address is as follows.

To His Excellency Peter Hunter, Esquire,
Lieutenant Governor of the province of
Upper Canada, and Lieut. General Commanding
His Majesty's Forces in Upper and Lower
Canada, &c. &c.

May it please Your Excellency,

We, His Majesty's most dutiful and loyal subjects, The Commons of the Province of Upper Canada in parliament assembled, return you our thanks for Your Excellency's Speech, and for your consideration in calling us together at a season of the year when our attendance upon our public duty will least interfere with our private concerns.

We sincerely rejoice with Your Excellency in the termination of hostilities between the other belligerent powers of Europe and our Mother Country, and we fervently hope that the Treaty of Peace, of which Your Excellency has had official intimation, may be a lasting one, by which means we may continue to enjoy in tranquility the many advantages we possess under her protection.

We are happy to find that there is a prospect of an increase of our revenue arising on the merchandise imported from the United States into this Province, and, knowing its importance, we assure Your Excellency that our most serious attention shall not be wanting to revise the law by which these duties are imposed, and that we shall endeavour to make such further regulations and provisions as will ensure to the Province those duties which, according to the spirit and meaning of the law, ought to be yielded.

We are truly sensible that the taxes imposed by our other Provincial laws to meet the public exigencies are light and easy on His Majesty's subjects of this Province, and being well convinced that their resources are fully equal to discharge them, our mature and deliberate consideration shall be bestowed in adopting such amendments as will prove an efficient remedy against any fraud or evasion which may exist, and as will enforce a just and equitable collection of the said taxes.

We shall bestow our most careful attention upon the public accounts, which Your Excellency for your solicitude for the welfare and happiness of the King's subjects in this Province, and their prosperity, evinced by your issuing a proclamation which as been notified of the times and places where the Commissioners for ascertaining titles to land will attend for accelerating the accomplishment of that business, which, by the labour and exertions of those engaged in it, will ultimately produce the most happy effects, in securing to them indisputable titles to their landed property, an object truly estimable.

The happiness and prosperity of His Majesty's subjects must ever be our principal object in all our deliberations, and we assure Your Excellency our exertions shall always be used in enacting such particular laws in addition to our present code as the situation and circumstances of the Province render necessary, and as will give energy to the Government under which we have the happiness to live and enjoy so many blessings.

Commons House of Assembly,
York, 28th January, 1803.

Mr. Rogers moved, seconded by Mr. Sheriff Macdonell, that the draft of an Address to His Excellency the Lieutenant Governor reported by the Committee be engrossed, and that a Committee be appointed to wait upon His Excellency the Lieutenant Governor to know when he will be pleased to receive the same.

Ordered accordingly.

Then Mr. Sheriff Macdonell moved, seconded by Mr. Rogers, That Messrs. Thompson, Nelles, Clench and Washburn be a Committee to wait on His Excellency the Lieutenant-Governor, to request to know when he will be pleased to receive the Address of this House in answer to his Speech.

Mr. Clench then moved, seconded by Mr. Nelles, that after Mr. Washburn Mr. Rogers be inserted.

The same passed in the negative.

Then the main question was put up, and carried in the affirmative, and ordered accordingly.

Mr. Macdonell of York gave notice, That on Monday next he will move certain resolutions as the foundation of an Address to the King's Most Excellent Majesty, humbly beseeching that no Court of Chancery be constituted in this Province without the advice and consent of the Legislative Council and Assembly thereof.

Mr. Macdonell of York gave notice, That he will on to-morrow move for leave to bring up a Petition from the Inhabitants of the Township of Kingston.

Mr. Speaker informed the House that application had been made to him by the Clerk of this House as follows.

The Clerk of the House of Assembly has the honor of stating respectfully to Mr. Speaker that the duties of his Office require that firewood, candles and candlesticks &c should be provided.

(Signed) Donald MacLean,
Clerk.

Commons House of Assembly
28th Jan'y 1803.

Mr. Solicitor General then Moved, seconded by Mr. Sheriff Macdonell, that Mr. Speaker do authorize and direct the Clerk of the House to provide the articles necessary for the convenience of this House, and to employ one or more persons in the capacity of messengers and servants to attend fires and other purposes.

A division thereupon took place, and the names were ordered to be taken down, and are as follows.

YEAS	NAYS
MESSRS SOLICITOR GENERAL	MESSRS. ELLIOTT
SHERIFF MACDONELL	ROGERS
MACDONELL (York)	NELLES
THOMPSON	CLENCH
WASHBURN	
FERGUSON	

The same was carried in the affirmative by a majority of two and ordered accordingly.

Mr. Sheriff Macdonell then moved, seconded by Mr. Elliott, that the twenty-sixth rule of the Revised Rules and Regulations of this House be dispensed with for the present Session.

Which passed in the negative.

Mr. Sheriff Macdonell moved, seconded by Mr. Ferguson, That the first Rule of the Revised Rules and Regulations of this House, which directs that eleven Members shall be a quorum of the House, including the Speaker, be dispensed with for the present Session, and that the quorum shall consist of nine Members, including the Speaker.

Carried in the negative.

On motion of Mr. Solicitor General, seconded by Mr. Nelles, the House adjourned.

Saturday, 29th January, 1803.

Mr. Thompson reported that in obedience to the order of this House the messenger had waited upon His Excellency the Lieutenant Governor to know his pleasure when he would receive this House with its Address and that His Excellency was pleased to appoint this day at twelve o'clock.

Mr. Ferguson moved, seconded by Mr. Rogers, for leave to bring up Petition from the Inhabitants from the Township of Kingston.

Leave was accordingly granted, and the said petition was ordered to lie on the Table.

Mr. Macdonell of York gave notice that he will move on Monday next for leave to bring in a Bill to authorize and appoint Commissioners to ascertain and declare what shall be deemed for a limited time Public Highways and Roads in the Districts of London and Niagara, and for other purposes therein mentioned.

Mr. Clench gave notice that he will move for leave on Monday next to present the petition of Peter McMicking and William Cooper, Coroners for the Home and Niagara Districts.

Mr. Speaker attended by the House went up at the Hour appointed with the Address of this House to His Excellency the Lieutenant Governor, and being returned Mr. Speaker reported that the House had attended His Excellency with their Address, to which His Excellency had been pleased to return the following answer.

Gentlemen of the House of Assembly,—

I thank you for this dutiful and loyal Address. Your congratulation on the termination of hostilities in Europe is also highly acceptable to me, and your concurrence with my wishes for the amendment of our Revenue Laws afford me great satisfaction.

I am fully convinced of the sincerity of your assurances that the giving energy to His Majesty's Government, and the promotion of the happiness of his subjects in this province will form the principal object of your future deliberations.

Then Mr. Speaker adjourned the House for the want of a quorum.

Monday, 31st January, 1803.

Prayers were read.

Mr. Solicitor General gave notice that he will on to-morrow move the House that a Committee be appointed to take into their consideration the Revenue Law, and to the House the necessary amendments to be made in the same.

Mr. McCrae moved, seconded by Mr. Elliott, for leave to bring in a Bill on to-morrow to extend the bounty for the destruction of wolves to the Western District, and for other purposes therein mentioned.

Leave was given accordingly.

Mr. Ferguson gave notice that he will on to-morrow move that this House do require the Clerks of the Legislative Council and House of Assembly to make known to this House what became of a Bill which passed the Legislative Council and House of Assembly during their last session, empowering His Excellency the Lieutenant Governor, or person administering the Government, to license Barristers and Attorneys in this Province; and to give reasons why the same was not presented in due time to His Excellency the Lieutenant Governor.

Mr. Clench, seconded by Mr. Rogers, moved for leave to bring in a Bill to-morrow to extend the Jurisdiction of the District Courts throughout this Province.

Accordingly leave was granted.

Mr. Ferguson gave notice that he will on to-morrow move that this House do require the Clerks of the Legislative Council and House of Assembly to make known to this House what became of a Bill which passed the Legislative Council and House of Assembly during their last Session, empowering His Excellency the Lieutenant Governor, or person administering the Government, to license Barristers and Attorneys in this Province; and to give reasons why the same was not presented in due time to His Excellency the Lieutenant Governor.

Mr. Clench, seconded by Mr. Rogers, moved for leave to bring in a Bill to-morrow to extend the Jurisdiction of the District Courts throughout this Province.

Accordingly leave was granted.

Mr. Washburn gave notice that he will on to-morrow move the House that a Committee be appointed to take into their consideration some proper mode of altering the present mode of taxation within this Province, and to report the same to this House.

Mr. Macdonell of York moved, seconded by Mr. Nelles, for leave to bring in on Thursday next a Bill to authorize and appoint Commissioners to ascertain and declare what shall be deemed for a limited time Public Highways and Roads in certain parts of this Province.— and for other purposes therein mentioned.

Leave was granted.

Mr. Macdonell of York, seconded by Mr. Sheriff Macdonell, moved for leave to bring in on Monday next a Bill to enable the Sheriff of the Home District to summon the number of Jurors required by His Majesty's Writs, from time to time to him directed.

Accordingly leave was granted.

Mr. Macdonell of York then moved, seconded by Mr. Clench, that the leave given him on Saturday last to move certain resolutions in respect to the creation of a Court of Chancery do stand upon the Order of the Day to-morrow.

Ordered accordingly.

On motion of Mr. Washburn, seconded by Mr. Nelles, the House adjourned.

Tuesday, 1st February 1803.

Prayers were read.

Mr. Solicitor General, seconded by Mr. Sheriff Macdonell, moved that the House resolve into a Committee of the whole House to take into consideration the Revenue Laws, and to report to the House the necessary amendments to be made in the same.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Ferguson was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Ferguson reported a progress, and asked leave to sit again to-morrow.

Leave was accordingly granted.

According to leave Mr. Clench brought in a Bill to extend the jurisdiction of the Courts of Requests throughout this Province.

Which was read for the first time.

Mr. Clench, seconded by Mr. Ferguson, moved that the said Bill be read a second time on Monday next.

Ordered accordingly.

Mr. McCrae, agreeable to leave given, brought in a Bill to extend the bounty for the destruction of wolves to the western District, and for other purposes therein mentioned.

Which Bill was read the first time.

Mr. McCrae then moved, seconded by Mr. Clench, that the said Bill be read a second time to-morrow.

Ordered accordingly.

Then Mr. Macdonell of York gave notice that he will move to-morrow that Messengers be sent to the Legislative Council informing them that this House is ready, in conjunction with them, to inquire into the reasons which prevented a Bill, which had passed the two Houses of Legislature during the last Session, entitled "An Act to authorize the Lieutenant Governor, or person administering the Government of this Province, to license Practitioners in the Law" was not presented before the last Prorogation of His Excellency to receive His Majesty's assent.

Mr. Macdonell of York, seconded by Mr. Rogers, moved for leave to bring in on Saturday next a Bill for the more intimately assimilating the Jurisprudence of this Province in practice and substance to that of the Parent Country.

Leave was granted.

Mr. Macdonell of York, seconded by Mr. Clench, moved for leave to bring in a Bill on Saturday next to subject transient and itinerent persons to arrest for small debts.

On motion of Mr. Rogers, seconded by Mr. Ferguson, the House adjourned.

Wednesday, 2nd February, 1803.

Prayers were read.

Mr. Macdonell of York, seconded by Mr. Swayzie, moved that a Committee be appointed, to report a revised and amended table of fees to be allowed and taken in the several Courts of Judicature within the Province, to sit so as not to interfere with the other business of this House, and to report with all convenient speed, with power to send for persons and papers.

Ordered accordingly.

Mr. Clench moved, seconded by Mr. Rogers, that Sheriff Macdonell, Isaac Swayzie, and Captain Elliott be a Committee to report and revise a table of fees to be allowed and taken in the several Courts of Judicature within this Province, and that two thereof be a Quorum.

The same was ordered, accordingly.

Mr. Macdonell of York gave notice that he will move for leave to bring in on Monday next the Petition of Nicholas Hogeboom, Esquire.

Read for the second time, A Bill to empower the Sheriff of the Home District to summon Jurors agreeable to His Majesty's Writs to him directed.

Then Mr. Macdonell of York, seconded by Mr. Clench, moved that the said Bill be read a second time on Monday next.

Ordered accordingly.

Mr. Macdonell of York moved, seconded by Mr. McCrae, that a Message by two Members be sent to the Legislative Council, informing them that this House is ready to co-operate with them, in a conference or otherwise, in investigating the reasons which prevented a Bill entitled "An Act to authorize the Governor, Lieutenant Governor, or person administering the Government of this Province, to license Practitioners in the Law" from being submitted to His Excellency the Lieutenant Governor's consideration previous to last prorogation; in order that he might have declared His Majesty's pleasure thereupon:—the said Bill having passed both Houses of Parliament previous to such last prorogation.

Mr. Ferguson then moved in amendment, seconded by Mr. McCrae, that after the word "House," the words "is ready to co-operate with them, in conference or otherwise" be expunged, and that in lieu thereof be inserted "request a conference to."

Which amendment was carried in the affirmative, and ordered accordingly,

Mr. Macdonell of York, seconded by Mr. Clench, moved that Captain Elliott and Mr. McCrae do carry up said message.

Which was ordered accordingly.

Read the second time, the Bill to extend the bounty for the destruction of wolves to the Western District.

Mr. Clench, seconded by Mr. McCrae, moved that this House do now resolve itself into a Committee accordingly.

Mr. Speaker left the Chair.

Mr. Washburn was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Washburn reported the Bill as amended.

Which report was accepted.

Then Mr. McCrae moved, seconded by Captain Elliott, that this Bill be engrossed and read a third time on to-morrow.

Ordered accordingly.

Agreeable to the order of the Day, the House resolved itself into Committee to take up the further amendments to be made in the present Revenue Laws.

Mr. Speaker left the Chair.

Mr. Ferguson was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Ferguson reported progress, and asked leave to sit again to-morrow.

Which leave was accordingly granted.

Mr. Rogers gave notice that he will on to-morrow move that the names of the Members of this House be called over on Monday next.

On motion of Mr. Ferguson, seconded by Captain Elliott, the House adjourned.

Thursday, 3rd February, 1803.

Prayers were read.

Mr. Rogers moved, seconded by Mr. Solicitor General, that the names of the Members of this House be called over on Monday next.

Ordered accordingly.

Read a third time, the engrossed Act for the destroying of wolves in the Western District.

Then Mr. Macdonell of York moved, seconded by Mr. McCrae, that the title of the said Bill be "An Act for further altering and amending an Act passed in the thirty third year of His Majesty's Reign, entitled "Act to encourage the destroying of Wolves and Bears in different parts of this province."

Ordered accordingly.

The same Bill then passed and was signed by Mr. Speaker.

Then Mr. Clench, seconded by Mr. Washburn, moved that Mr. McCrae and Mr. Nelles do carry this Bill to the Legislative Council and request their concurrence thereto.

Ordered accordingly.

Mr. Washburn gave notice that he will on to-morrow move for leave to bring in a Bill on Tuesday next, to extend the jurisdiction of the Courts of Requests within this province.

Mr. Ferguson, seconded by Mr. Sheriff Macdonell, moved that so much of the order of the day as directs that the House shall go into Committee on the Revenue Bill be dispensed with, and that the same shall stand committed for to-morrow.

Ordered accordingly.

Then was read for the first time a Bill to authorize and appoint Commissioners to ascertain and declare what shall be deemed for a limited time Public Highways and Roads in certain parts of this Province.

Mr. Clench then moved, seconded by Mr. Nelles, that the said Bill be read a second time on Monday next.

The same was ordered accordingly.

Mr. Washburn gave notice that he will on to-morrow move for leave on Tuesday next to bring in a Bill to repeal certain parts of an Act passed in the forty first year of His Majesty's Reign, entitled, "An Act to authorize the Governor or person administering the Government to appoint inspectors of Flour, Pot and Pearl Ashes, within this province, and to make further provision for the same."

Then Mr. Macdonell of York gave notice that he will move on Saturday next that the House do resolve itself into a Committee of the Whole, to take into their consideration the most effectual means of encouraging the growth and exportation of hemp, and to report thereon.

On motion of Mr. Sheriff Macdonell, seconded by Captain Elliott, the House adjourned.

Friday, 4th February, 1803.

Prayers were read.

Mr. McCrae, One of the Messengers named, informed the House that they had carried up to the Honorable Legislative Council the Bill for further altering and amending an Act passed in the thirty third year of His Majesty's Reign, entitled "An Act to encourage the destroying of Wolves and Bears in the different parts of this Province," and did request their concurrence.

Mr. Macdonell of York then moved, seconded by Mr. Clench, for leave to bring up on Monday next the Petition of the Six Nations of Indians, inhabiting the Grand-River,—by Captain Joseph Brant, their Agent.

Leave was accordingly granted.

Mr. Sheriff Macdonell then moved, seconded by Mr. Elliott, that all matters and things upon the Order of this Day, or to-morrow, do stand over as part of the Order of the Day for Monday next.

Ordered accordingly.

On motion of Mr. Sheriff Macdonell, seconded by Captain Elliott, the House adjourned until Monday next.

Monday, 7th February, 1803.

Prayers were read.

Mr. Macdonell of York, according to notice given, brought up the Petition of Nicholas Hogeboom Esq. which was ordered to lie on the Table, as also the Petition of the Six Nations of Indians, settled upon and along the River Ouze or Grand River, which was also ordered to lie on the Table.

Mr. Solicitor General then moved, seconded by Mr. Sheriff Macdonell, for leave to bring in a Bill on to-morrow for the more uniform laying of assessments and rates in this Province.

Leave was accordingly granted.

The Order of the Day for the Call of the House being read,

Ordered, That the House be now called over.

The House was accordingly called over, and several of the Members appeared, and the names of such members as made default to appear were taken down, and are as follows.

ANGUS MACDONELL, of Glengarry
JACOB WEAGER
SAMUEL SHERWOOD
WILLIAM BUELL
DAVID WILLIAM SMITH (in England)
THOMAS McKEE
ISAAC SWAYZIE (sick)

Mr. Macdonell of York gave notice that he will move on Wednesday next that fines be set upon such of the Members as have absented themselves from their duty in this House during the present Session, who shall not appear to have a sufficient cause of absence.

Mr. Clench moved, seconded by Mr. Nelles, that the Order of the Day for the second reading of the Bill for the more effectual recovery of the debts in the District Courts be discharged, and that the said Bill be read a second time on Wednesday.

Ordered accordingly.

Agreeable to the Order of the Day the House resolved itself into Committee to take up the further consideration of the Provincial Revenue of this Province.

Mr. Speaker left the Chair.

Mr. Ferguson took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Ferguson reported a progress, and asked for leave to sit again this day.

Leave was accordingly granted.

Then William Jarvis, Esquire, Secretary to the Province, delivered in at the Bar of this House the Public Provincial Accounts, as per schedule, which was read by the Clerk at the Table, and are as follows.

No. 1. General Account of Goods liable to duties imported from the United States, for which the duties have been collected between the first of April and the 31st of December 1802.

2. General State of receipts and payments for Port and License duties, under Acts of the Provincial parliament, between the 28th of May 1802 and 26th of February 1803.

3. Abstract of Warrants issued by His Excellency Lieut. General Peter Hunter, Lieutenant Governor of the Province of Upper Canada, for moneys charged against the funds arising from duties imposed by the Provincial Legislature, pursuant to an Act passed in the first Session of the third Parliament of this Province for that purpose.

4. General Account of articles on which duties on importation are imposed by the Legislature of Lower Canada, which have passed Coteau du Lac upwards, from the 1st of January to the 30th day of June 1802, agreeable to the written accounts thereof, received, or as ascertained on examination of carriages according to the Act.

5. Mr. Secretary Jarvis' list of names of such persons as have been licensed to work Stills in the several Districts of the Province of Upper Canada, for the year ending the 5th of April 1802, with amount of duty collected thereon, pursuant to an Act of the Provincial Parliament.

6. Mr. Secretary Jarvis' list of names of persons licensed as shop and inn keepers in the several Districts of the Province of Upper Canada for the year ending the 5th of April 1803.

(For schedule see Appendix 1.)

The House again resolved itself into Committee on the Revenue Law.

The Speaker left the Chair.

Mr. Ferguson again took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Ferguson reported a progress, and was directed to ask leave to sit again.

Leave was accordingly granted.

Agreeable to the order of the Day was read for the first time,

An Act to compel transient and itinerant persons to satisfy small debts.

Mr. Clench moved, seconded by Mr. Nelles, that the said Bill be read a second time. Ordered accordingly.

According to the Order of the Day was read a second time.

The Bill for establishing Highways and Roads throughout this Province

On motion of Mr. Clench, seconded by Mr. McCrae, the House resolved itself into Committee to take up the further consideration of the Bill.

Mr. Speaker left the Chair.

Mr. Solicitor General was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Solicitor General reported that it was the opinion of the Committee that the further consideration of the said Bill should be postponed for three months.

Which report was accepted, and ordered accordingly.

Then Mr. Sheriff Macdonell, one of the Special Committee appointed by this House to revise a Table of Fees taken in the several Courts of Judicature in this Province, reported as follows.

Which he read in his place, and then delivered the same in at the Table, where it was again read by the Clerk, and the three letters Nos. 1, 2 and 3 accompanying it, which report and letters are as follows.

To the Honorable the Speaker, and the Honorable Members of the Commons House of Assembly, in Parliament assembled.

The Report of the Committee appointed to Report a revised Table of Fees, taken in the several Courts of Judicature in this Province.

Respectfully Sheweth:—

That Your Committee, throughout their Chairman, directed the Clerk of the Crown, the Clerk of the Peace, the Clerk of the District Court, the Clerk of the Court of Requests, and William Weeks, Esquire, Barrister and Attorney, to attend on the Committee at two O'clock in the afternoon of this day, with a schedule of such fees as they were in the habit of receiving, and the authority under which they claimed the same. The Gentlemen all attended with the exception of the Clerk of the Crown, who addressed the letters numbered 1, 2 and 3 to the Chairman of your Committee.

All of which is respectfully submitted by order of the Committee.

(Signed) Alexander Macdonell,
Chairman.

Letter No. 1.

York, 7th February, 1803.

Sir:—

In obedience to your notice I shall attend you and the Committee of the Commons House of Assembly at the hour appointed. In the meantime I enclose you a copy of the fees taken and received by me as Clerk of the Court of King's Bench in this Province.

I am Sir, your obedient Humble Servant,

(Sd.) David Burns, Cl'k Crown, &c.

Letter No. 2.

York, Monday, 1 o'clock P.M.
7th February 1803.

Sir:—

Since delivering the Table of Fees this morning agreeable to your notice I have been advised that I have done more than I was compelled to and that my attendance on the Committee would not be proper until some further explanation.

I have the honor to be, Sir,

Your most humble servant,

(Sg.) David Burns,
Cl'k of the Crown & of the Common Pleas.

Alex'r Macdonell, Esq.
Chairman of the Committee
of the Commons House of Assembly.

Letter No. 3.

Monday, 7th February, 1803.

Sir:—

I am this moment favored with your note in answer to my last, and cannot after what I said in it make any other reply than by referring to its contents.

I have the honor to be,

Sir,

Your most humble servant,

David Burns,
Clerk of the Crown and of
the Commons Pleas.

Half past two o'clock, p.m.

Alexander Macdonell, Esq.,
Chairman of the Committee
of the Commons House of Assembly.

Then Mr. Macdonell of York, seconded by Mr. Ferguson, moved that the Sergeant At Arms have the body of David Burns Esquire, Clerk of the Crown and Pleas, by the hour of twelve o'clock to-morrow at the Bar of this House, to answer for his contempt of the rights and privileges of this House by refusing to obey the orders of a Committee thereof, authorized to compel his attendance.

Ordered accordingly.

Mr. Washburn, seconded by Capt. Elliott, moved for leave to bring in a Bill on to-morrow to repeal certain parts of an Act passed in the forty first year of His Majesty's reign, entiled " An Act to authorize the Governor, Lieutenant Governor, or person administering the government to appoint Inspector of Flour, Pot and Pearl Ash within this Province, and to make further provision for the same.

Leave was accordingly granted.

Mr. Washburn again, seconded by Mr. Thompson, moved for leave on to-morrow to bring in a Bill to extend the jurisdiction of the Courts of Requests within this Province.

Accordingly leave was granted.

Mr. Macdonell of York moved, seconded by Mr. Clench, that what remains on the Order of the Day be considered as so much of the Order of the Day for to-morrow.

A division ensued, and the names were ordered to be taken down, and are as follows.

YEAS	NAYS
MESSRS. THOMPSON	MESSRS. SOLICITOR GEN.
MACDONELL (York)	ROGERS
ELLIOTT	
WASHBURN	
NELLES	
SHERIFF MACDONELL	
WASHBURN	
CLENCH	
McCRAE	

The same was carried in the affirmative by a majority of seven.

And ordered accordingly.

On motion of Mr. Clench, seconded by Mr. Macdonell of York, the House adjourned.

Tuesday, 8th February, 1803.

Prayers were read.

Mr. Speaker informed the House that agreeable to their resolution of yesterday he had issued his Warrant to the Serjeant at Arms to have the body of David Burns, Esquire, Clerk of the Crown and Commons Pleas, in this province, before the House this day at twelve o'clock at noon, and that the Serjeant at Arms had informed him that he had the body of the said David Burns, Esquire, in custody.

Mr. Macdonell of York, seconded by Mr. Clench, moved that the House do adjourn for half an hour.

The House adjourned accordingly.

The House being met,

Mr. McCrae, one of the Messengers appointed to wait upon the Legislative Council with the request of this House to have a conference with them, reported that they had waited upon the Legislative Council with the same.

Read a second time, The Jury Bill for the House District.

Mr. Macdonell of York moved, seconded by Capt. Elliott, that the House do now resolve itself into Committee on the said Bill.

A Division ensued, and the names were taken down as follows.

YEAS.	NAYS.
MESSRS. ELLIOTT	MESSRS. SOLICITOR GENL.
A. MACDONELL (York)	NELLES
ROGERS	FERGUSON
SHERIFF MACDONELL	CLENCH
McCRAE	
WASHBURN	

Carried in the affirmative by a majority of two.

A Message from the Honorable Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

The Honorable the Legislative Council have acceeded to the message of the House of Assembly of this date requesting a conference, and have accordingly appointed four Members as a Committee to confer with the Committee of the House of Assembly thereon upon the adjournment of the Legislative Council this day, in the Council Chamber.

And then withdrew.

Mr. Sheriff Macdonell, seconded by Mr. Clench, moved that the Solicitor General, Messrs. Rogers, Ferguson, Nelles, Washburn, and Macdonell of York, be a Committee to confer with the Honorable Legislative Council, agreeable to their Message of this day.

The House then resolved itself into a Committee on the Jury Bill.

Mr. Speaker left the Chair.

Mr. Rogers was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Rogers reported that the Committee had agreed to the Bill with some amendments, which they recommend the House to adopt.

Mr. Clench then moved, seconded by Mr. Ferguson, that this Report be not accepted.

The House divided thereupon, and the names were ordered to be taken down, and are as follows.

YEAS.	NAYS.
MESSRS. SOLICITOR GEN'L	MESSRS. ELLIOTT
NELLES	MACDONELL (York)
FERGUSON	SHERIFF MACDONELL
CLENCH	ROGERS
	McCRAE
	WASHBURN

Passed in the negative by a majority of two.

The Report was then accepted.

Mr. Macdonell of York moved, seconded by Mr. Washburn, that the following clause be added as the last section of the said Bill "And be it further enacted by the authority aforesaid that this Act shall be and continue to be in force for and during four years, and from thence until the end of the Session of Parliament then next immediately ensuing and no longer."

Ordered accordingly.

Mr. Macdonell of York moved, seconded by Mr. McCrae, that the said Bill be engrossed and read a third time to-morrow.

Ordered accordingly.

Mr. Speaker put the question, Shall David Burns, Esquire, Clerk of the Crown and Pleas, be now brought to the Bar of this House.

The House divided thereupon, the names were taken down, and are as follows.

YEAS.

MESSRS. MACDONELL (York)
ROGERS
FERGUSON
CLENCH
WASHBURN
McCRAE

NAYS.

MESSRS. ELLIOTT
SOL'R GENERAL
NELLES
SH'FF MACDONELL

Carried in the affirmative by a majority of two.

And ordered accordingly.

Then the Serjeant at Arms was ordered to bring David Burns, Esquire, to the Bar of this House.

The Serjeant at Arms being returned, reported as follows:

Mr. Speaker of the Honorable the Commons House of Assembly.

In obedience to the order I received from your Honor yesterday, to take into my custody David Burns, Esquire, Clerk of the Crown and of the Pleas, I attended the house of Mr. Burns this morning at ten o'clock and delivered to him a copy of the order I received, upon which Mr. Burns gave me his word that he would surrender himself to me at twelve o'clock this day. At half past one o'clock p.m., by your order, Mr. Speaker, I was sent to bring to the Bar of the Commons House Mr. Burns; but upon the application at the door of the Honorable the Legislative Council—where Mr. Burns sits as a Master in Chancery—I was informed the House was then sitting, but would soon break up. I accordingly withdrew myself and waited without the doors until the House should adjourn. After waiting about a quarter of an hour, the Usher of the Black Rod came to me, saying that the Chief Justice, The Honorable the Speaker of that House, had sent for me, directed me to come in. Upon my appearance at the Bar of that House, the Honorable the Speaker asked me what was my business; I answered that Mr. Burns being in my custody by virtue of a writ from the Speaker of the Commons House of Assembly I attended to conduct him to the Bar of that House. The Honorable the Speaker of the Legislative Council then asked me if I had the audaciousness, the affrontery to come there. I replied I only obeyed the orders that I received. He then said I would do well to consider in what manner I conducted myself. I then withdrew.

Commons House of Assembly,
8th February 1803,
half past two o'clock, p.m.

Mr. Macdonell of York, seconded by Mr. Ferguson, moved that this House do proceed to no business until they have vindicated the rights and privileges of the Commons of this Province in respect of the contumacy of Mr. Burns.

The House divided upon the motion, the names were taken down as follows.

YEAS.

MESSRS. MACDONELL (York)
ROGERS
FERGUSON
WASHBURN
CLENCH

NAYS.

MESSRS. SOL'R GENERAL
McCRAE
ELLIOTT
NELLES
SH'FF MACDONELL

The House being divided, Mr. Speaker gave his vote for the House to proceed to business.

On motion of Mr. Clench, seconded by Mr. Macdonell of York, the House adjourned.

Wednesday, 9th February 1803.

Prayers were read.

Mr. Speaker took the Chair.

Members present.

MESSRS. SHERIFF MACDONELL
SOLICITOR GENERAL
ELLIOTT
ROGERS
McCRAE
NELLES

At half past eleven Mr. Speaker adjourned the House for want of a Quorum.

Thursday, 10th February, 1803.

Prayers were read.

Read a third time, Engrossed Bill to repeal part of an Act passed in the thirty fourth year of His Majesty's Reign, entitled "An Act for the Regulation of Juries."

Then Mr. Macdonell of York moved, seconded by Mr. Sheriff Macdonell, that the title be An Act to repeal for a limited time part of an Act passed in the thirty fourth year of His Majesty's Reign, entitled "An Act for the Regulation of Juries."

Ordered accordingly.

Mr. Macdonell of York, seconded by Mr. Clench, moved that the House do now resolve itself into a Committee of privileges.

Mr. Speaker having put the question thereupon, the House divided and the names being called for, they were taken down, and are as follows.

YEAS.	NAYS.
MESSRS. SH'FF MACDONELL	MESSRS. SOL'R GENERAL
MACDONELL	ELLIOTT
THOMPSON	McCRAE
FERGUSON	
ROGERS	
WASHBURN	
NELLES	
CLENCH	

The same was carried in the affirmative by a majority of five.

Accordingly the House then resolved itself into Committee.

Mr. Speaker left the Chair.

Mr. Thompson was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Thompson reported progress, and asked for leave to sit again this day.

Leave was accordingly granted.

A written message from the Honorable the Legislative Council by the Honorable John McGill, Esquire, which he read and then withdrew, and is as follows:

Mr. Speaker,

The extraordinary occasion on which I am deputed has induced the Legislative Council to depart from the usual mode of intercourse observed in communications from them to the House of Assembly. I am sent to this House to complain on the part of the Legislative Council of an insult offered to that body by an officer of the House of Assembly, the Sergeant at Arms, who has entered into the lobby of the Legislative Council Chamber and declared his purpose to be the taking into custody an officer of that House while the House was sitting.

8th February, 1803.

Which Message was afterwards read by Mr. Speaker.

Then Mr. Speaker, in consequence of the said Message, by the voice of the House, suspended the Sergeant at Arms from exercising the functions of his office in this House, and appointed Mr. Charles Willcocks pro tem to do the duties of that office in order to expedite the business now depending before the House, and until such time as the House do make inquiry into the conduct of their Sergeant at Arms, in consequence of the complaint just now read from the Honorable the Legislative Council against that officer.

A Message from the Honorable the Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable the Legislative Council to inform this Honorable House that they have concurred in passing without any amendment an Act for further altering and amending an Act passed in the thirty third year of His Majesty's Reign, entitled "An Act to encourage the destroying of wolves and bears in different parts of this Province."

I am further commanded to inform you that the Honorable Legislative Council have passed a Bill entitled "An Act to declare the rights of certain grantees of waste lands of the Crown," and to request the concurrence of this Honorable House.

And then withdrew.

Mr. Speaker left the Chair.

Mr. Thompson again took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Thompson reported that the Committee had come to several resolutions, which he was directed to report to the House whenever the House would be pleased to receive the same.

Ordered that the Report be now received and accepted.

Which Report and Resolutions are as follows.

Report of the Committee of privileges, whereof Timothy Thompson, Esq., was Chairman.

First, Resolved, That the House of Assembly of the Province of Upper Canada is a Superior Court of Record, and that every disobedience of the orders thereof is a high contempt and misdemeanor, punishable at its own discretion.

Second, Resolved, That the arrest of David Burns, Esquire, Clerk of the Crown and Pleas, by the officer of this House, in obedience to the warrant of Mr. Speaker, was proper and lawful.

Third, Resolved, That in aggravation in Mr. Burns' first offence he has been guilty of an escape and breach of parole, as appeareth by record of the Journals.

Fourth, Resolved accordingly, That process against the body of David Burns, Esquire, Clerk of the Crown and Pleas, under signature of the Honorable the Speaker of this House, do issue, and that he be brought by the proper officer to the Bar of this House to-morrow at ten o'clock in the forenoon.

Then Mr. Macdonell of York moved, seconded by Mr. Sheriff Macdonell, that the House do now resolve itself into Committee to take into consideration the Message from the Legislative Council, delivered by the Honorable John McGill, Esquire, one of the Members of the said Legislative Council.

The House accordingly resolved itself into Committee.

Mr. Speaker left the Chair.

Mr. Rogers was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Rogers reported that the Committee had taken up and gone through the consideration of a written message from the Honorable Legislative Council, and that the Committee had come to a resolution thereupon, which he was directed to submit to the House whenever it would be pleased to receive the same.

The Resolution was then ordered to be received and is as follows—

Resolved, That the Committee do recommend to the House to send a Message to the Honorable the Legislative Council, informing them that in consequence of their complaint the House has suspended their Sergeant at Arms from the exercise of his function, and that this House, ever desirous of testifying to the Legislative Council their ready acquiescence in all friendly intercourse and convinced that the complaint this day made and communicated by one of their Honorable House is of such a nature as to require, not only consideration, but a guarded examination of the facts which gave rise to the same, and for the better ascertaining thereof a conference with that Honorable House be requested.

Then Mr. Sheriff Macdonell, seconded by Mr. Nelles, moved, That Messrs. Macdonell of York and Captain Elliott be a Committee to carry up this Message to the Honorable the Legislative Council.

Ordered accordingly.

Agreeable to a Resolution of this House this day, Mr. Speaker read a Warrant as follows:

To Charles Willcocks, Esquire, Special Messenger to the Commons House of Assembly.

In obedience to an order of the Commons House of Assembly of this date these are to authorize and command you that you have the body of David Burns, Esquire, Clerk of the Crown and Pleas, to-morrow, by the Hour of ten o'clock, at the Bar of this House, to answer into such matters and things as may then and there be objected against him touching the contempt of the privileges of this House with which he stands charged, and abide by the pleasure of the House therein.

Commons House of Assembly,
the tenth day of February,
eighteen hundred and three.

Debates ensued on the propriety of addressing a warrant to Charles Willcocks, Esquire, Special Messenger appointed to this House,—which was alternately contended for.

Thereafter Mr. Speaker put the question, Shall I now sign the Warrant as read?

A division thereupon took place, and the names being called for, they were taken down, and are as follows:

YEAS.	NAYS.
MESSRS. FERGUSON	MESSRS. SH'FF MACDONELL
MACDONELL (YORK)	ELLIOTT
McCRAE	
ROGERS	
WASHBURN	
THOMPSON	
CLENCH	
NELLES	

Carried in the affirmative by a majority of six.

Then Mr. Speaker accordingly signed the Warrant.

Agreeable to the Order of the House, at the time appointed, the Managers named in behalf of this House went to the conference requested and agreed upon last Tuesday with the Legislative Council, and reported that they met the Managers on the part of the Legislative Council at the time and place appointed to hold the said conference and that they concurred with them in the following.

The Joint Committee of the Legislative Council and House of Assembly, in conference to investigate the reasons which prevented a Bill entitled "An Act to authorize the Governor, Lieut. Governor or person administering the Government of this Province, to license Practitioners in the Law" from being submitted to His Excellency the Lieutenant Governor's consideration previous to the late prorogation in order that he might have declared His Majesty's pleasure thereon, the said Bill having passed both Houses of Parliament, do concur in opinion that it was owing altogether to accidental circumstances that the said Bill was not submitted 8th February 1803.

On motion of Mr. Rogers, seconded by Capt. Elliott, the House adjourned.

Friday, 11th February, 1803.

Prayers were read.

Mr. Speaker then informed the House that agreeable to the Order of this House yesterday he had issued his Warrant, to Charles Willcocks, Esq., Special Messenger, to have the body of David Burns, Esq., Clerk of the Crown and Pleas, at the Bar of this House at the hour of ten o'clock this afternoon. Mr. Speaker then read the return of the Special Messenger made to the Warrant of Yesterday, issued to him, which is as follows:

Mr. Speaker,

I have the honor to inform you that in consequence of your Warrant I have taken the body of David Burns, Esquire, Clerk of the Crown and Pleas, into custody, and that I am ready when you think it proper to produce him at the Bar of this Honorable House.

(Signed) Charles Willcocks,
Special Messenger.

11th February, 1803.

Mr. Speaker then put the question, Is it your pleasure that the body of David Burns, Esquire, be now brought to the Bar of this House.

A division thereupon took place, the names were taken down, and are as follows:

YEAS.	NAYS.
MESSRS. McCRAE	MESSRS. SOLICITOR GENERAL
MACDONELL (YORK)	ELLIOTT
ROGERS	SH'FF MACDONELL
FERGUSON	
CLENCH	
THOMPSON	
NELLES	
WASHBURN	

A majority of five for putting David Burns, Esq., to the Bar of this House.

He was accordingly ordered to be brought to the Bar.

David Burns, Esquire, Clerk of the Crown and Pleas, then appeared at the Bar in custody of Charles Willcocks, Esquire, the Special Messenger.

Then Mr. Macdonell of York moved, seconded by Mr. Clench, that Mr. Burns be asked if he has aught to say for himself to extenuate or justify his contempt of the Orders of this House.

Then Mr. Speaker put the question, whether it was the pleasure of the House that Mr. Macdonell's motion as just now read should be put.

A division thereupon took place, and the names being called for were ordered to be taken down, and are as follows.

YEAS.	NAYS.
MESSRS. MACDONELL (YORK)	MESSRS. SH'FF MACDONELL
FERGUSON	ELLIOTT
ROGERS	McCRAE
CLENCH	SOLICITOR GEN.
THOMPSON	
NELLES	
WASHBURN	

Carried in the affirmative by a majority of three.

The question being then put by Mr. Speaker to David Burns, Esquire, Clerk of the Crown and of the Commons Pleas, he replied in writing as follows:

In answer to the question put by the Speaker to David Burns, Esquire, Clerk of the Crown and of the Commons Pleas, he says that it was very far from his intention to do anything that should wear the slightest appearance of insult, and further that it was equally distant from his wish to express contempt for the Speaker or the House, collectively or individually; but as a Servant of the Crown declines answering any question except through the medium of the person who here represents the Sovereign.

Mr. Sheriff Macdonell moved, seconded by Capt. Elliott, that David Burns, Esquire, now in custody of the Special Messenger at the Bar, be discharged, he having made an ample apology by saying that it was far from being his intention to do anything that should wear the slightest appearance of insult, and further that it was equally distant from his wish to express contempt for the Speaker or the House, collectively or individually, but as a Servant of the Crown declines answering any questions except through the medium of the person who here represents his Sovereign.

Then Mr. Macdonell of York moved an amendment, seconded by Mr. Clench, if he express his contrition for his offence without assigning any reasons in justification thereof he be discharged.

Which was carried in the affirmative.

Then Mr. Speaker put the question, Shall the motion as amended be now put to David Burns Esquire, Prisoner at the Bar.

Which was ordered.

The Speaker then asked David Burns Esquire, if he would express his contrition for his offence without assigning any reason in justification thereof, and if he did he would be discharged.

To which he answered he would not.

Mr. Macdonell of York, seconded by Mr. Clench, moved that Mr. Speaker do inform Mr. Burns that if in the first instance he had pleaded the privilege which it is said he has a right to claim as an Officer of the Legislative Council, this House, on being satisfied of his being such, would have allowed it to him, and should in that case have taken the proper measures to compel his attendance.

A division thereupon took place, the names were ordered to be taken down, and are as follows:

YEAS	NAYS
MESSRS. MACDONELL (YORK)	MESSRS. SH'FF MACDONELL
ROGERS	ELIOTT
CLENCH	McCRAE
WASHBURN	SOLICITOR GEN.
	FERGUSON
	THOMPSON
	NELLES

The same passed in the negative by a majority of three.

Mr. Macdonell of York, seconded by Mr. Clench, moved that Mr. Burns be asked what his Offices under the Crown are, and whether he hold any which require his necessary and daily attendance upon the Sovereign or his Representative in this Province.

Then Mr. Speaker put the question if it was the pleasure of the House that the question be now put to Mr. Burns as read.

Which was ordered accordingly.

Then Mr. Speaker having put the same,

Mr. Burns replied that he was designated by His Majesty's Mandamus directed to him Clerk of the Crown and Common Pleas of the Province of Upper Canada, suggesting that he hold several other appointments, but not immediately from the Crown.

Mr. Macdonell of York, moved, seconded by Mr. Clench, That it be resolved by this House that as Clerk of the Crown and Common Pleas, Mr. Burns is not privileged from giving his attendance upon the Commons when they in their judgment for the public weal may command it.

A division ensued, and the names were ordered to be taken down, and are as follows.

YEAS		NAYS	
MESSRS.	SH'FF MACDONELL	MESSRS.	SOLICITOR GEN.
	ELLIOTT		FERGUSON
	MACDONELL (York)		THOMPSON
	ROGERS		NELLES
	CLENCH		McCRAE
	WASHBURN		

Carried in the affirmative by a majority of one.

Then the House resolved the same.

Mr. Macdonell of York, seconded by Mr. Church, moved that if David Burns, Esquire, now at the Bar of this House, have naught further to say or submit to this House, he do withdraw, and do remain in the custody of the Special Messenger at large until this House shall have taken further order in his case.

Ordered accordingly.

Then Mr. Speaker informed Mr. Burns that he was at liberty to withdraw from the Bar of this House.

He then withdrew from the Bar accordingly.

Then Mr. Mocdonell of York, one of the Messengers named to carry up a message to the Honorable Legislative Council, reported that he had obeyed the commands of the House.

On motion of Mr. Macdonell of York, seconded by Capt. Elliott, the Bill to repeal for a limited time part of an Act passed in the thirty fourth year of His Majesty's Reign entitled "An Act for the Regulation of Juries," passed, and was signed by Mr. Speaker.

Then Mr. Macdonell of York, seconded by Mr. Elliott, moved that Mr. Sheriff Macdonell and Mr. Washburn do carry up the said Bill to the Legislative Council, and request their concurrence thereto.

Ordered accordingly.

Mr. Sheriff Macdonell reported that they had brought up the said Bill to the Honorable the Legislative Council, and did request their concurrence in passing the same.

Then, Read for the first time, a Bill sent down from the Honorable the Legislative Council, for the concurrence of this House, entitled "An Act to declare the rights of certain grantees of Waste lands under the Crown."

Mr. Sheriff Macdonell then moved, seconded by Capt. Elliott, that a Bill entitled "An Act for the more uniform laying of assessments and rates throughout this Province be now read for the first time.

A division thereupon took place, the names were ordered to be taken down, and are as follows.

	YEAS		NAYS
MESSRS.	SH'FF MACDONELL	MESSRS.	FERGUSON
	ELLIOTT		CLENCH
	MACDONELL (YORK)		
	SOLICITOR GENERAL		
	ROGERS		
	THOMPSON		
	McCRAE		
	WASHBURN		
	NELLES		

Carried in the affirmative by a majority of seven.

The Bill was then read for the first time.

Then Mr. Sheriff Macdonell moved, seconded by Capt. Elliott, that the said Bill be read a second time on Monday next.

Ordered accordingly.

A written Message from the Honorable Legislative Council, by Mr. Burns, Master in Chancery.

Mr. Speaker:—

The Legislative Council are ready to confer with the House of Assembly on the subject matter of their message in the Legislative Council Chamber.

Legislative Council Chamber
11th February, 1803.

And then withdrew.

Mr. Clench then moved, seconded by Mr. Nelles, that Mr. A. Macdonell of York, Mr. Sheriff Macdonell, Mr. Ferguson, Mr. Rogers and Mr. Washburn be a Committee to confer with the Honorable the Legislative Council respecting a breach of privilege complained of by that Honorable House to have been committed by an Officer of this House (The Serjeant at Arms) as stated in a message yesterday received from them.

Ordered accordingly.

The House then adjourned for half an hour.

The House being met, Mr. Speaker took the Chair.

The Members present were:—

MESSRS. SH'FF MACDONELL
ELLIOTT
MACDONELL (YORK)
ROGERS
McCRAE
WASHBURN
NELLES
FERGUSON

Then Mr. Speaker adjourned the House for want of a quorum.

Monday, 12th February, 1803.

Prayers were read.

Mr. Macdonell of York, with the Managers of the conference on the part of this House, reported as follows.

The Committee appointed to confer with a Committee of the Honorable Legislative Council on the subject of a breach of privilege complained of in a Message from the Legislative Council to the Commons, have the honor of reporting that having met agreeable to order the Joint Committee concurred in the following resolutions.

First. That when either of the Houses of Parliament may have occasion for the attendance of any Member or Officer of the other, application by message shall be made to the House to which such Member or Officer may belong.

Second. That the Serjeant at Arms of the Assembly, having been guilty of a grievous offence in having infringed upon the privileges of the Honorable the Legislative Council, of His own head and wrong, deserves the severest chastisement, but at the request of the Committee of Conference appointed on the part of that Honorable House it is recommended that he be dealt with leniently, and be simply rebuked with severity by the Speaker of the Assembly.

Mr. Sheriff Macdonell then moved, seconded by Mr. Ferguson, That Thomas Ridout, Esquire, Serjeant at Arms, to the Honorable House, be now put to the Bar, and that Mr. Speaker do reprehend and censure him for having been guilty of a violent infraction of the rights and Privileges of the Honorable the Legislative Council by going within the walls of that House and claiming the body of David Burns, Esq., Clerk of the Crown and Pleas, then under his custody by virtue of your Warrant, Sir.

Which was ordered accordingly.

Mr. Speaker then reprimanded the Serjeant at Arms.

Then Mr. Speaker ordered the Serjeant at Arms to resume his station in the House.

Then James Clark, Esquire, Clerk to the Honorable Legislative Council came to the Bar, and handed a sealed paper to the Serjeant at Arms, which the Serjeant at Arms delivered to Mr. Speaker, which Mr. Speaker then read, and is as follows.

Mr. Speaker:—

The Legislative Council beg leave through you to state to the House of Assembly that David Burns, Esquire, a Master in Chancery in waiting on his duty to the Legislative Council, informs the House that he is considered by the Messenger of the House of Assembly as his prisoner.

By Order of the House.

H. Allcock, Speaker.

Then Mr. Macdonell of York moved, seconded by Mr. Ferguson, that Mr. Speaker do inform by letter the Speaker of the Honorable the Legislative Council, that upon their communication of this morning the Assembly immediately ordered David Burns, Esq., to be liberated out of the custody of the Special Messenger of the Commons, and do at the same time signify to the Speaker of the said Honorable Legislative Council the request of the Commons that David Burns, Esquire, one of the Officers of the Legislative Council, be sent down to the Bar of the Commons to undergo an examination touching a gross contempt of the privileges of the Commons, with which, as Clerk of the Crown and Pleas, he stands charged.

Which was enclosed by Mr. Speaker and addressed to the Honorable the Speaker of the Legislative Council, and ordered to be delivered by the Clerk.

Then the Serjeant at Arms, informed the House that the Secretary of the province was attending to be admitted at the Bar of the House.

Mr. Speaker then commanded the Serjeant at Arms to admit him.

At the Bar William Jarvis, Esquire, Secretary of the Province, informed Mr. Speaker that by command of His Excellency the Lieutenant Governor he came there to deliver to this Honorable House an account respecting the Provincial Revenues of this Province.

And then withdrew.

Which Account is as follows. (Appendix No. 2.)

Mr. Ferguson moved, seconded by Mr. Solicitor General, that David Burns, Esquire, Clerk of the Crown and Pleas, be released from the custody of the Special Messenger of the Commons House of Assembly, he appearing to be an Officer of the Honorable the Legislative Council.

Ordered accordingly.

Mr. Speaker then commanded Charles Willcocks, Esquire, the Special Messenger, to liberate David Burns, Esquire, Clerk of the Crown and Pleas, from his custody, in consequence of a resolution of this House.

Mr. Speaker informed the House that in obedience to the commands thereof David Burns, Esquire, had been liberated.

Then Mr. Sheriff Macdonell moved, seconded by Mr. Rogers, That the Bill entitled "An Act for the uniform laying of assessments and rates throughout this Province be read for a second time on Monday next."

Mr. Ferguson, seconded by Mr. Thompson, moved in amendment to expunge the word "Wednesday," and in lieu thereof to insert the word "Monday."

Mr. Speaker having put the question as amended it was carried in the affirmative.

And ordered accordingly.

The House then resolved itself into Committee to take up the further consideration of the Revenue Laws of this Province.

Mr. Speaker left the Chair.

Mr. Ferguson was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Ferguson reported that they had come to several resolutions thereupon, which he was directed to report to the House whenever they shall be pleased to receive the same.

It was then resolved that the said report be now received.

Which he read in his place, and then handed it to the Clerk at the Table, where it was once more read, and is as follows.

The Committee of the Whole House, whereof John Ferguson, Esquire, was Chairman, having taken into their consideration the Revenue Laws of this Province have made the following resolutions.

First. Resolved, That the present method of collecting the Provincial Revenue is circuitous and inefficient.

Second. Resolved, That more compendious and effectual method of collecting the same be therefore adopted.

Third. Resolved, That in order to ensure to the Province a just and equitable collection of the taxes and duties imposed by the several Provincial Acts, that some person be appointed by the Lieutenant Governor or person administering the Government in each and every District in this Province, whose duty it shall be to inspect the Revenue and to see that the same is by no means defrauded in any manner, and who shall collect the same and give sufficient security in such manner as shall be considered most efficacious, to pay such moneys as he shall receive from time to time into the hands of His Majesty's Receiver General, as Provincial Treasurer.

Fifth. Resolved, That it is the opinion of this Committee that the person so to be appointed to inspect the Revenue in each District, shall receive a reasonable percentage upon all moneys which may come through their hands.

Sixth. Resolved, That all spirits distilled from grain of any sort shall be dutiable on coming into this Province, wheresoever the same may have been manufactured or distilled, and that spirits over proof, or high wines, be proportionately rated higher, provided, nevertheless, that such duty, with respect to Lower Canada, shall not operate until the conclusion of the present agreement by and between this Province and our sister Province of Lower Canada.

Seventh. Resolved, That a summary and equitable mode of determining questions respecting articles of small value seized as contraband should be established.

Eighth. Resolved, That when any dispute shall arise respecting the legality of any seizure under the value of pounds it shall and may be lawful for the collector or any person claiming property in the articles seized to apply to the Court of the District wherein the case shall happen for a writ directed to the Sheriff of such District, commanding him by a Jury of twelve good and lawful men to ascertain the question; upon the finding of which Jury the Sheriff shall forthwith deliver over the property in dispute to the party entitled thereto, and make his return thereof, unto the District Court accordingly.

Ninth. Resolved, That should a seizure be made at any place at the distance of twenty miles to the north east of Sandwich, or at any place to the north west of Matchedash Bay upon Lake Huron, it shall and may be lawful for the collector to name one arbitrator, for the person whose goods shall have been seized to name another, and for the two so named to choose a third; and that the decision of such arbitrators respecting the validity of the seizure shall be as valid as if resort had been had to the verdict of a Jury, a measure perfectly impracticable from the present disjointed state of the settlement in the places alluded to.

Provided, nevertheless, that it shall at all times be lawful for either party to have resort to a Court of Justice, should he prefer such a measure to the award of arbitrators, such option being made before arbitration.

Tenth. Resolved, That all vessels, boats, &c., arriving at any port or place of entry in the daytime shall report within hours after their arrival, and that all vessels, boats, &c., arriving during the night shall report at o'clock next morning under the penalty of

Eleventh. Resolved, That His Excellency the Lieutenant Governor, or person administering the Government, be authorized to establish the office of the collector of the District of Newcastle in any place within the harbour which may be more convenient than the Town of Newcastle, until a Jail and Courthouse be erected in the said Town, and no longer.

Twelfth. Resolved, That the Receiver General be authorized and required to cause to be printed and sent to each and every collector in the Province a sufficient number of blank entries, upon which all entries are to be made and sworn to by the person making such entries, the said blank entries being first numbered and marked by the Receiver General, and which when filled up are to be returned to him every quarter with the quarterly accounts, to serve as a check upon the collector, who is to account with the Receiver General for the number he received.

The above resolutions are respectfully submitted to the House.

By Order of the Committee.

(Signed) John Ferguson,
Chairman.

Then Mr. Rogers moved, seconded by Mr. Clench, that a Committee be appointed to draft a Bill for carrying the first, second, third, fourth and fifth resolutions of the Committee of the whole House into effect.

Ordered accordingly.

Mr. Rogers again moved, seconded by Mr. Clench, that Mr. Solicitor General, Mr. Angus Macdonell of York, and Mr. Sheriff Macdonell be a Committee to draft the said Bill.

Which was ordered accordingly.

Mr. Ferguson, seconded by Mr. Clench, moved that a Special Committee be appointed to draft a Bill upon the resolutions of the Committee appointed to revise the revenue laws, commencing at the sixth resolution of that Committee, and continued to the end of the said resolutions.

The House ordered the same.

Mr. Clench, seconded by Mr. Nelles, moved that Mr. Solicitor General, Mr. Sheriff Macdonell, and Mr. Angus Macdonell be a Committee for that purpose.

Ordered accordingly.

Then, on motion of Mr. Macdonell of York, seconded by Mr. Clench, the House adjourned until Monday next.

Monday, 14th February, 1803.

Prayers were read.

Agreeable to the order of the Day was read a second time an Act to declare the rights of certain grantees to the waste lands of the Crown.

On motion of Mr. Sheriff Macdonell, seconded by Mr. Clench, the House resolved itself into Committee to go into consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Nelles was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Nelles reported that the Committee had gone through the consideration of the said Bill, to which they had made some amendments which he was desired to report whenever the House would be pleased to receive the same.

Resolved, That the House do now receive the said Report,

Ordered accordingly.

Which amendments are as follows.

Amendments made, adopted and passed by the Committee in a Bill sent down to them by the Honorable the Legislative Council, intituled, "An Act to declare the rights of certain grantees of waste lands of the Crown." Press I.—Second line from the bottom after the words "heirs shall" expunge the word "henceforth," and in lieu thereof insert the words following, "from and after the day of the date of such grants respectively." Expunge the whole of the last clause.

Which amendments were ordered to be engrossed.

Then Mr. Speaker put the question for the second reading of the assessment Bill, it being a part of the Order of the Day.

A division took place, the names being called for, they were taken down, and are as follows:

YEAS	NAYS
MESSRS SHERIFF MACDONELL	MR. CLENCH
SOLICITOR GEN.	
FERGUSON	
ELLIOTT	
ROGERS	
McCRAE	
WASHBURN	
NELLES	
THOMPSON	
MACDONELL (York)	

Carried in the affirmative by a majority of nine for going into the Order of the Day.

The Assessment Bill was then read the second time.

The House then resolved itself into Committee on the said Bill.

Mr. Speaker left the Chair.

Mr. Macdonell of York was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell of York, then moved, seconded, by Mr. McCrae, that the engrossed amendments made to the Bill to declare the rights of certain grantees to the waste lands of the Crown be now read.

They were accordingly read, passed, and signed by Mr. Speaker.

Mr. Clench then moved, seconded by Mr. Nelles, that Messrs Ferguson and Elliott be a Committee to carry up this Bill as passed with amendments to the Legislative Council, and to request their concurrence to said amendments.

Ordered accordingly.

Mr. Ferguson, first named to return to the Honorable Legislative Council the Bill sent down by them, entitled "An Act to declare the right of certain grantees to the waste lands of the Crown, reported that they had carried up the same, with the amendments made thereto by this House, to which amendments they require their concurrence.

A Message from the Honorable Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable the Legislative Council to inform this Honorable House that they have concurred and passed a Bill entitled "An Act to repeal for a limited time part of an Act passed in the thirty fourth year of His Majesty's Reign, entitled "An Act for the regulation of Juries," and am further commanded to inform you that the Honorable the Legislative Council have passed a Bill entitled "An Act to enable married women having real estate more conveniently to alien and convey the same, and to confirm and declare valid four several fines heretofore levied, in the Court of King's Bench in this Province" and request the concurrence of this House.

And then withdrew.

On motion of Mr. Solicitor General, seconded by Mr. McCrae,

Read for the first time, the said Bill.

On motion of Mr. Clench, seconded by Mr. Nelles,

Ordered, That the said Bill be read a second time to-morrow.

Agreeable to leave given the House again resolved itself into Committee to take up the further consideration of the Assessment Bill,

Mr. Speaker left the Chair.

Mr. Macdonell of York again took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell reported progress, and asked for leave to sit again.

Leave was accordingly granted.

A written Message from the Honorable the Legislative Council, by Mr. Burns, Master in Chancery, which he read, and is as follows:

Mr. Speaker,

The Legislative Council inform the House of Assembly that however willing they might be to comply with the request of the House of Assembly contained in the message received this day, through their Speaker, the latter part of that message is expressed in such terms as will not permit the Legislative Council to proceed thereon.

By Order of the House.
(Signed) H. ALLCOCK,
Speaker.

Legislative Council Chamber,
Monday, 14th February, 1803.

And then withdrew.

Then, on motion of Captain Elliott, seconded by Mr. McCrae, the House adjourned.

Thursday, 15th February 1803.

Prayers were read.

A written Message from the Honorable Legislative Council, by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am directed by the Honorable the Legislative Council to inform this House that they do request a conference upon the subject of the amendments made by the House of Assembly in a Bill to declare the rights of certain grantees of waste lands of the Crown.

By Order of the House,
(Signed) H. ALLCOCK,
Speaker.

Legislative Council Chamber,
15th February 1803,

And then withdrew.

Mr. Ferguson, seconded by Mr. Clench, moved that this House do resolve not to receive any message of whatsoever nature from the Honorable the Legislative Council by or through David Burns, Esquire, called their Master in Chancery, until the said David Burns, Esquire, do purge himself of the high offence committed by his contempt of the order of this House.

Mr. Sheriff Macdonell moved in amendment, seconded by Mr. Thompson, that after the word "that" in the first line, the whole be expunged, and that in lieu thereof the following words be inserted, "A message be now sent to the Honorable the Legislative Council requesting that David Burns, Esquire, an officer of that Honorable House, be permitted to attend at the Bar of this House, to answer such questions as it may be thought expedient to be put to him by the Commons."

The same passed in the negative.

The main question being then put, the House divided, and the names were taken down, and are as follows:

YEAS

MESSRS FERGUSON
MACDONELL (YORK)
ROGERS
CLENCH
THOMPSON

NAYS

MESSRS SH'FF MACDONELL
McCRAE
SOL'R GENERAL
ELLIOTT
SWAYZIE
NELLES
WASHBURN

Which passed in the negative by a majority of two.

Then Mr. Macdonell of York moved, seconded by Mr. Clench, the following resolution:

The Commons observe with regret the determination of the Legislative Council to screen an individual from the consequences of his demerits, nor can they account for the sudden departure of the Legislative Council from the principle lately established in a conference between the Houses as a permanent rule of conduct; when the attendance of a member, of an Officer belonging to the one House, becomes requisite in the Other. To respect itself is a duty every public body owes to itself, and the Commons are determined, in observance thereof not to suffer their dignity to be insulted by admitting within their walls a person who has outrageously set their authority at defiance; and will not therefore in future receive any communication by or through David Burns, Esquire.

Mr. Solicitor General, seconded by Captain Elliott, moved in amendment that after the word "that" all the motion be expunged, and the words "this House do proceed upon the Order of the Day," be inserted.

The question for the amendment having been put, the House being divided, the Speaker gave his vote to go into the Order of the Day; the names being called for, they were taken down, and are as follows:

YEAS

MESSRS McCRAE
SOL'R GENERAL
ELLIOTT
WASHBURN
SWAYZIE
NELLES

NAYS

MESSRS SH'FF MACDONELL
FERGUSON
ROGERS
MACDONELL (YORK)
CLENCH
THOMPSON

Carried in the affirmative, and ordered accordingly.

Mr. Swayzie then gave notice that he will on to-morrow bring up two petitions from the Inhabitants of the District of London.

Mr. Washburn, seconded by Mr. Clench, moved for leave of absence from this House during the remainder of the Session.

Which passed in the negative.

Mr. Sheriff Macdonell then moved, seconded by Mr. Solicitor General, that the Solicitor General, Messrs. Angus Macdonell of York, Ferguson, Nelles, and McCrae, be a Committee to confer with the Honorable the Legislative Council upon the subject matter of the amendments made by the Commons House of Assembly upon a Bill entitled "An Act to declare the rights of certain grantees of waste lands of the Crown."

Ordered accordingly.

Mr. Sheriff Macdonell again moved, seconded by Mr. Solicitor General, that a Committee be appointed to inform the Honorable the Legislative Council that agreeable to their message of this date a Committee has been named to confer with a Committee of their Honorable House, upon the adjournment of the Legislative Council tomorrow, upon the subject of the amendments made to a Bill entitled "An Act to declare the rights of certain grantees of waste lands of the Crown," and that Mr. Macdonell of York and Mr. Ferguson be a Committee for that purpose.

Which was ordered accordingly.

Agreeable to the Order of the Day the House resolved itself into Committee on the Assessment Bill.

Mr. Speaker left the Chair.

Mr. Macdonell of York took the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell of York reported a progress, and asked leave to sit again.

Leave was granted.

On motion of Mr. Sheriff Macdonell, seconded by Mr. Solicitor General, the House adjourned.

Wednesday, 16th February 1803.

Prayers were read.

Mr. Macdonell of York moved, seconded by Mr. Clench, that the Legislative Council be this day informed by message that this House is desirous, before it proceeds to measures of extremity against David Burns, Esquire, to canvass in a joint Committee of conference, to be chosen by the Houses respectively, the question of mutual privileges, in so far as the same may be implicated on the occasion, and that this House, unwilling ever to be driven into any altercation with a sister branch of the Legislature, other than a content of courtesy and reciprocal respect, is also desirous that it may be signified to the Legislative Council at the same time that it would not be seemly in the Commons to receive any message or communication by or through the channel of David Burns, Esquire, until the issue of such conference shall have determined the course proper in future to be observed.

Then Mr. Solicitor General, seconded by Mr. Swayzie, moved as an amendment that after the word "that" the words "this House do now proceed upon the Order of the Day."

The same was carried in the affirmative and Ordered accordingly.

Messrs Macdonell of York, and Ferguson reported that according to order they had been to the Legislative Council, wherein they delivered a message in the words following:

Mr. Speaker,

We are directed by the Commons to inform your Honorable House that they have appointed a Committee to manage on their part a conference upon the subject of their amendments in and to the Bill entitled "An Act to declare the rights of certain grantees of the waste lands of the Crown," and that their managers will attend upon your Committee immediately after the adjournment of Your Honorable House this Day.

The House then resolved itself into Committee to take up the further consideration of the Assessment Bill.

Mr. Speaker left the Chair.

Mr. Macdonell of York took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell reported progress, and asked for leave to sit again.

Leave was accordingly granted.

A Message from the Honorable the Legislative Council, by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable the Legislative Council to inform this House that they have passed an Act to repeal part of an Act passed in the thirty seventh year of His present Majesty, entitled "An Act for regulating the practice of the Court of King's Bench," to which they request the concurrence of the House of Assembly.

And then withdrew.

The said Bill was read for the first time.

And on motion of Mr. Clench, seconded by Mr. Swayzie,

Ordered, That the said Bill be read a second time on Saturday next.

The Managers reported that having met in conference the managers on the part of the Honorable the Legislative Council on the subjects of the amendments made by the Commons in and to the Bill to declare the rights of certain grantees of the waste lands of the Crown, "it had been unanimously agreed in the said conference that the first amendment should stand a part of the said Bill and that the second amendment should be withdrawn, and the last clause in the said Bill allowed to remain as it originally stood on coming down from the Honorable the Legislative Council.

The House again resolved itself into Committee on the Assessment Bill.

Mr. Speaker left the Chair.

Mr. Macdonell of York was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell reported progress, and asked for leave to sit again.

Leave was accordingly given.

On motion of Mr. Solicitor General, seconded by Mr. McCrae, the House adjourned.

Thursday, 17th February, 1803.

Prayers were read.

Mr. Sheriff Macdonell moved, seconded by Captain Elliott, for leave to bring up on tomorrow the Petition of Joseph Ryerson, Esquire, Sheriff of the District of London.

Leave was accordingly granted.

On motion of Mr. Sheriff Macdonell, seconded by Mr. Solicitor General, the House resolved itself into Committee to go into the further consideration of the Assessment Bill.

Mr. Speaker left the Chair.

Mr. Macdonell of York was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell reported progress, and asked leave to sit again.

Leave was then given.

Mr. Macdonell of York moved, seconded by Mr. Rogers, that Messrs. Ferguson and Rogers be sent with a message to the Honorable the Legislative Council, informing them that this House has accepted the report of their managers in the conference of yesterday, and does agree to withdraw the last amendment made in this House in and to the Bill entitled "An Act to declare the rights of certain grantees of the waste lands of the Crown."

Ordered accordingly.

Mr. Clench, seconded by Mr. Elliott, moved for leave to bring in tomorrow a Bill to authorize the Governor, Lieutenant Governor, or person administering the Government of this Province, to license William Dickson, Esquire, to practice the Law in this Province, and to authorize the said William Dickson and other Attornies to take such number of Clerks as therein mentioned.

Leave was accordingly granted.

Mr. Washburn moved, seconded by Mr. Clench, for leave to bring in to-morrow a Bill to extend the Provisions of an Act passed in the thirty fourth year of His Majesty's Reign, entitled "An Act to restrain the custom of permitting horned cattle, horses, sheep, and swine to run at large."

Leave was granted.

Messrs Ferguson and Rogers informed that agreeable to the Order of this House they went up to the Honorable the Legislative Council wherein they delivered the following message.

Mr. Speaker,

We are directed by the House of Assembly to inform the Honorable the Legislative Council that they have concurred in the report of their managers in the conference of yesterday with the Honorable Richard Cartwright and Robert Hamilton, Esquire, two members of your Honorable House, and that they agree to withdraw the last amendment made in this House in and to the Bill entitled "An Act to declare the rights of certain grantees of the waste lands of the Crown."

Commons House of Assembly,
17th February 1803.

Mr. Macdonell of York, seconded by Mr. Clench, moved for leave to bring in on tomorrow a Bill to compel persons holding in fee or occupation lands abutting on the highway called Young Street, to put and keep in repair the moiety of the said highway immediately touching their lands.

Leave was accordingly granted.

Read for the second time, An Act to enable married women having real estate to alien the same.

The House then resolved into Committee to take up the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. McCrae was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. McCrae reported progress, and asked leave to sit again.

Leave was granted.

On motion of Mr. Washburn, seconded by Mr. Macdonell of York, the House adjourned.

Friday, 18th February 1803.

Prayers were read.

Read, the Petition of the Six Nations of Indians, which is as follows.

To the Honorable the Commons of Upper Canada in
Parliament assembled.

The Petition of the Six Nations of Indians, settled upon and along the River Ouze or Grand River,

Humbly Sheweth,

That Your Petitioners are proprietors in common of an extensive tract of land in this Province, and hold a mortgage interest also, in and out of certain extensive parcels of land which they have heretofore aliened therein.

That Your Petitioners find His Majesty's Bounty unavailing to them under existing circumstances, because,

1. They are restrained from granting leasehold estates by the nature of their tenure.
2. They are under the like inability from the same cause to effect partitions.
3. They cannot compel the payment of moneys accruing to their use, nor direct the application thereof to the relief of their wants.
4. They cannot enable persons who are in arrear to them for principal or interest reserved to them by mortgage to answer their engagements, by putting them in a capacity to subdivide their several acquisitions, and extinguish partially the mortgage liens thereon.

All which is submitted to the tender consideration of Your Honorable body, and relief implored.

(Signed) Jos. Brant,
Agent.

Grand River, 1st January 1803.

The House then resolved itself into Committee to go into the consideration of the said Petition.

Mr. Speaker left the Chair.

Mr. Swayzie reported a progress, and was directed to ask leave to sit again on Monday next.

Leave was accordingly granted.

Then read the Petition of Peter Hogeboom, Esq. which is as follows.

To the Honorable the Commons of Upper Canada
in Parliament assembled.

The Petition of Peter Hogeboom

Humbly Sheweth,

That Your Petitioner has become the proprietor of a large Tract of land upon and along the River Ouze, or Grand River, in the West Riding of the County of York, and Home District, commonly called Block number one, and containing upwards of ninety thousand acres.

That Your Petitioner derives his title from the person who purchased immediately from the late Philip Stedman, deceased, to whom His Majesty's Letters Patent of Grant of and for the said Tract or parcel of land were made out, but who neglected to ask and receive the same in his lifetime from the Secretary of the Province.

That Your Petitioner having laid out and expended large sums of money in and about his purchase aforesaid finds himself under serious difficulties from the circumstances of his case, and being ready to secure to the Indians the moneys reserved to them out of the sale of the said Tract or parcel of land, in manner and from which may be required of him, and being also ready to meet in any Court of Law or Justice any claim which may be set up by the Heirs of the said Philip Stedman, or by any other person or persons whosoever,—he humbly implores relief of Parliament in the premises by such declaratory Act concerning the issuing of His Majesty's Letters Patent Nunc Pro Tunc, as in your wisdom may seem meet, and as in duty bound he will pray.

(Signed) Peter Hogeboom.

York, 10th Sept'r, 1802.

Then Mr. Rogers moved, seconded by Mr. Macdonell of York, That the Petition of Peter Hogeboom, Esq., be referred to a Committee of the Whole House now in Committee on the Petition of the Six Nations.

Read for the first time, A Bill to authorize the Governor, Lieutenant Governor, or person administering the Government of this Province, to license William Dickson, Esq., to practise the law in this Province.

Ordered, That the said Bill be read a second time to-morrow.

Read for the first time, An Act to extend the provisions of an Act passed in the thirty fourth year of His Majesty's Reign, entitled "An Act to restrain the custom of permitting horned cattle, horses, sheep and swine to run at large."

Ordered, That the said Bill be read a second time to-morrow.

Then Mr. Washburn moved, seconded by Mr. Rogers, for leave to bring in a Bill this day that stood on the Order of the day for Tuesday the 8th instant,—To extend the Jurisdiction of the Courts of Request within the Province.

Ordered accordingly.

Read for the first time, A Bill to extend the Jurisdiction of the Courts of Requests.

Mr. Clench then moved, seconded by Capt. Elliott, That this Bill be read a second time this day three months.

A division ensued, the names being called for by Mr. Clench, they were taken down, and are as follows.

YEAS	NAYS
MESSRS ELLIOTT	MESSRS SH’FF MACDONELL
FERGUSON	SOLICITOR GEN.
CLENCH	THOMPSON
	WASHBURN
	MACDONELL (YORK)
	McCRAE
	ROGERS
	NELLES

The same passed in the negative by a majority of five.

Mr. Thompson then moved, seconded by Mr. Rogers, That the Court of Request Bill be read a second time on Monday next.

Ordered accordingly.

Read for the first time, A Bill for amending the Yonge Street Road.

Then, on motion of Mr. Macdonell of York, seconded by Mr. Clench,

Ordered, That the said Bill be read a second time to-morrow.

The House then resolved itself into Committee to go into the further consideration of the Bill for laying Assessments throughout this Province.

Mr. Speaker left the Chair.

Mr. Macdonell of York was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell reported that the Committee had gone through the consideration of the said Bill, they had made some amendments, which he was desired to report whenever the House should be pleased to receive the same.

Then Mr. Clench moved, seconded by Mr. Swayzie, That this Report be not accepted.

A division thereupon took place, the names were called for and were ordered to be taken down, and are as follows.

YEAS	NAYS
MESSRS SOLICITOR GEN.	MESSRS WASHBURN
FERGUSON	SH’FF MACDONELL
SWAYZIE	ELIOTT
CLENCH	McCRAE
	MACDONELL (York)
	ROGERS
	THOMPSON
	NELLES

The same passed in the negative by a majority of four.

Then, Mr. Speaker having put the question, Shall the Report be now received,

A Division thereupon again took place, the names were called for by Mr. Clench, they were taken down, and are as follows.

YEAS

MESSRS WASHBURN
SH'FF MACDONELL
ELLIOTT
McCRAE
MACDONELL (YORK)
ROGERS
THOMPSON
NELLES

NAYS

MESSRS SOLICITOR GENERAL
FERGUSON
SWAYZIE
CLENCH

The same was carried in the affirmative by a majority of four.

And the Report was then received and accepted.

Then Mr. Macdonell of York moved, seconded by Mr. McCrae, That the said Bill be engrossed and read a third time on Wednesday next.

Mr. Clench, seconded by Mr. Swayzie, moved in amendment to expunge all the words after the word "engrossed," and to insert in lieu thereof "and read a third time this day three months."

A division ensued, the names being called for by Mr. Clench they were taken down, and are as follows.

YEAS

MESSRS SOLICITOR GEN.
FERGUSON
SWAYZIE
CLENCH

NAYS

MESSRS WASHBURN
SH'FF MACDONELL
ELLIOTT
McCRAE
MACDONELL (York)
ROGERS
THOMPSON
NELLES

The amendment passed in the negative by a majority of four.

Then the main question was put, and the names being called for by Mr. Clench, they were taken down, and are as follows.

YEAS

MESSRS WASHBURN
SH'FF MACDONELL
ELLIOTT
McCRAE
MACDONELL (York)
ROGERS
THOMPSON
NELLES

NAYS

MESSRS SOLICITOR GENERAL
FERGUSON
SWAYZIE
CLENCH

Carried in the affirmative by a majority of four, and ordered accordingly.

The House then resolved itself into Committee to go into the further consideration of an Act to enable married women having Real Estate more conveniently to alien and convey the same.

Mr. Speaker left the Chair.

Mr. McCrae was called to the Chair of the Committee and did there inform the Speaker that the Committee was not competent to go into the further consideration of the said Bill, for want of a quorum.

Mr. Speaker resumed the Chair, the names of the members present were taken down, and are as follows.

MESSRS SOLICITOR GENERAL
FERGUSON
SWAYZIE
SH'FF MACDONELL
McCRAE
MACDONELL (York)
ROGERS
THOMPSON
NELLES

Mr. Speaker then adjourned the House for want of a Quorum.

Saturday, 19th February, 1803.

Prayers were read.

Read for the second time, a Bill regulating the practice of the Court of King's Bench in this Province.

The House then resolved itself into Committee to go into the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Clench took the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Clench reported that it was the opinion of the Committee that the further consideration of the Bill for regulating the practice in the Court of King's Bench be postponed for three months.

Mr. Macdonell of York then moved, seconded by Mr. Sheriff Macdonell, That the Report of the Committee be not accepted, and in lieu thereof that it be ordered that the said Bill be engrossed and read a third time to-morrow.

A division thereupon took place, the names being called for by Mr. Sheriff Macdonell they were taken down, and are as follows.

YEAS	NAYS
MESSRS SH'FF MACDONELL	MESSRS SOLICITOR GEN.
MACDONELL (York)	THOMPSON
	McCRAE
	ROGERS
	NELLES
	SWAYZIE
	CLENCH
	WASHBURN

The same passed in the negative by a majority of eight.

And the further reading of the said Bill was accordingly postponed for three months.

Then read a second time, A Bill to authorize the Governor, Lieutenant Governor, or person administering the Government of this Province to license William Dickson, Esquire, to practice the law in this Province, and to authorize the said William Dickson, Esquire, and other Attornies, to take such number of Clerks as therein mentioned.

On motion of Mr. Clench, seconded by Mr. Nelles, the House resolved itself into Committee to go into the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Sheriff Macdonell was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Sheriff Macdonell reported a progress, and asked leave to sit again this day.

Leave was accordingly granted.

A Message from the Honorable the Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable the Legislative Council to inform this Honorable House that they have passed an Act to authorize the Governor, Lieutenant Governor, or person administering the Government of this Province to license Practitioners in the Law, and request your concurrence therein.

And then withdrew.

Which Bill was then read for the first time.

Then Mr. Sheriff Macdonell moved, seconded by Capt. Elliott, that this Bill be read for the second time on Monday next.

Ordered accordingly.

The House again resolved itself into Committee to go into the consideration of a Bill to authorize the Governor, the Lieutenant Governor or person administering the Government, to license William Dickson, Esquire, to practice the Law in this Province.

Mr. Speaker left the Chair.

Mr. Sheriff Macdonell reported that the Committee had gone through the consideration of the said Bill without any amendment, which he was directed to report whenever the House would be pleased to receive the same.

The House then resolved that the said Report be now received.

Then, on motion of Mr. Clench, seconded by Mr. Swayzie,

Ordered, That the said Bill be engrossed and read a third time this day.

Ordered accordingly.

Then Mr. Rogers moved, seconded by Capt. Elliott, That the Order of the Day for the second reading of the Bill entitled "An Act to authorize the Governor, Lieutenant Governor, or person administering the Government of this Province to license Practitioners in the Law" on Monday, be discharged, and that the said Bill be read a second time this day.

The same was ordered accordingly.

Then was read for the third time, The Engrossed Bill authorizing the Governor, the Lieutenant Governor, or person administering the Government, to license William Dickson, Esquire, to practice the law in this Province, and to authorize the said William Dickson and other Attornies to take such number of Clerks as therein mentioned.

Which passed and was signed by Mr. Speaker, Mr. Swayzie then moved, seconded by Mr. Washburn, that Mr. Clench and Mr. Nelles do carry up this Bill to the Legislative Council and request their concurrence thereto.

Ordered accordingly.

Then was read for the second time An Act to authorize the Governor, Lieutenant Governor, or person administering the Government of this Province to license Practitioners in the Law.

On motion of Mr. Rogers, seconded by Mr. Swayzie, the House resolved itself into Committee to take up the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Solicitor General was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Solicitor reported that they had gone through the consideration of the said Bill, to which they had made an amendment, which he was directed to report to the House whenever it shall be pleased to receive the same.

It was then resolved that the said report be now received.

Which Report is as follows.

That in the sixteenth line of the first Press expunge the word "four" and in lieu thereof insert the word "six."

Then Mr. Rogers moved, seconded by Mr. Thompson, that the amendment be engrossed, and the Bill be now read a third time.

Mr. Sheriff Macdonell, seconded by Capt. Elliott, moved in amendment that after the word "be" in the second line, the whole of the sentence be expunged, and that in lieu thereof the following words be inserted, "Read for the third time on Monday next."

Which passed in the negative.

Then the main question was put and carried in the affirmative.

And ordered accordingly.

Then Mr. Ferguson moved, seconded by Mr. Thompson, that in case of Members absenting themselves or seceding from their seats in the House Mr. Speaker have resort to the customs and usages of the Commons of Great Britain to compel their attendance.

Then Mr. Solicitor General moved, in amendment, seconded by Capt. Elliott, to expunge the whole motion after the word "Speaker," and in lieu thereof to insert "I move that this House do proceed on the Order of the Day."

Carried in the affirmative, and ordered accordingly.

Then was read the third time the engrossed Bill as amended, entitled "An Act to authorize the Governor, the Lieutenant Governor, or person administering the Government of this Province, to license Practitioners in the Law."

Then Mr. Speaker put the question, Shall the Bill as now amended pass?

A division thereupon took place, the names were ordered to be taken down, and are as follows.

YEAS	NAYS
MESSRS ELLIOTT	MESSRS CLENCH
SOLICITOR GENERAL	SH'FF MACDONELL
FERGUSON	
MACDONELL (York)	
ROGERS	
McCRAE	
THOMPSON	
SWAYZIE	
WASHBURN	
NELLES	

Carried in the affirmative by a majority of eight.

The Bill accordingly passed and was signed by Mr. Speaker.

Then Mr. Rogers moved, seconded by Mr. Nelles, that Mr. Ferguson and Mr. Washburn do carry up this Bill to the Honorable the Legislative Council, and inform them that this House have concurred in passing the same with an amendment, to which they request their concurrence.

Ordered accordingly.

Then was read for the second time, an Act to extend the Provisions of an Act to restrain the custom of permitting horned cattle, horses, sheep and swine to run at large.

Then on motion of Mr. Clench, seconded by Mr. Sheriff Macdonell, the House resolved itself into a Committee to go into the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Macdonell of York was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell of York reported that the Committee had gone through the consideration of the said Bill without any amendment.

Which Report was unanimously accepted.

Then, on motion of Mr. Clench, seconded by Mr. Sheriff Macdonell,

Ordered, That the said Bill be engrossed and read a third time on Monday next.

The House resolved itself again into Committee to go into the further consideration of An Act to enable married women having Real Estate more conveniently to alien and convey the same.

Mr. Speaker left the Chair.

Mr. McCrae was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. McCrae reported that the Committee has made a progress and had directed him to ask for leave to sit again.

Leave was accordingly granted.

Then, on motion of Mr. Washburn, seconded by Mr. Clench, the House adjourned.

Monday, 21st February, 1803.

Prayers were read.

Read for the third time the engrossed Bill entitled “ An Act to extend the provisions of an Act passed in the thirty fourth year of His Majesty's Reign entitled ‘ An Act to restrain the custom of permitting horned cattle, horses, sheep and swine to run at large.’ ”

The same passed, and was signed by Mr. Speaker.

Mr. Ferguson then moved, seconded by Mr. Rogers, That Mr. Washburn and Mr. Clench be the Messengers to take up this Bill to the Legislative Council and request their concurrence thereto.

Ordered accordingly.

Read the second time, An Act to extend the Jurisdiction of the Court of Requests within this Province.

Mr. Rogers then moved, seconded by Capt. Nelles, That this House do now resolve itself into a Committee to take into their consideration the Bill to extend the Jurisdiction of the Court of Requests.

The House accordingly resolved itself into a Committee to go into the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Ferguson was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Ferguson reported that he was directed to inform the House that the Committee recommend that the further consideration of the said Bill should be postponed for three months.

Mr. Speaker having put the question, Shall this Report be now received, Mr. Macdonell of York, seconded by Mr. Nelles, moved that the Report be not accepted, and that the said Bill do stand committed for to-morrow.

YEAS	NAYS
MESSRS. NELLES	MESSRS SH'FF MACDONELL
MACDONELL (YORK)	ELLIOTT
ROGERS	FERGUSON
SOLICITOR GEN.	SWAYZIE
WASHBURN	CLENCH
	McCRAE

The same was passed in the negative by a majority of one.

Then the said Bill was ordered to be read this day three months.

Then Messrs. Ferguson and Washburn reported that they had carried up to the Honorable Legislative Council a Bill entitled “An Act to authorize the Governor, Lieut. Governor, or person administering the Government of this Province, to license Practitioners in the Law, and did request their concurrence thereto.

Agreeable to the Order of the Day the House resolved itself into Committee to go into the further consideration of a Bill entitled “An Act to enable married women having Real Estate more readily to alien and convey the same.”

Mr. Speaker left the Chair.

Mr. McCrae was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. McCrae reported that the Committee had gone through the consideration of the said Bill to which they had made some amendments, which he was directed to report whenever the House should be pleased to receive the same.

Resolved that the said Report be now received.

Then the Report was received and accepted accordingly.

Then, Mr. Macdonell of York moved, seconded by Mr. Clench, That the amendments made in and to the said Bill be engrossed and read a third time tomorrow.

Ordered accordingly.

Then was read a second time, An Act to compel transient and itinerant persons to satisfy small debts.

On motion of Mr. Clench, seconded by Mr. Macdonell of York, the House resolved itself into Committee to go into the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Washburn was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Washburn reported a progress and requested leave to sit again this day.

Leave was accordingly granted.

A Written Message from the Honorable Legislative Council by Mr. Burns, Master in Chancery.

Which was read by Mr. Speaker, and is as follows.

Mr. Speaker,

I am directed by the Legislative Council to inform this House that they have concurred with this House in the amendments made by them in and to the Bill to authorize the Governor, the Lieutenant Governor or person administering the Government of this Province, to license Practitioners in the Law.

By Order of the House,

H. Allcock, Speaker.

Legislative Council Chamber,
21st. February 1803.

Messrs. Washburn and Clench reported that they had carried up to the Legislative Council the Bill entitled "An Act to extend the provisions of an Act passed in the thirty-fourth year of His Majesty's Reign, entitled "An Act to restrain the custom of permitting horned cattle, horses, sheep and swine to run at large," and request their concurrence.

Then Messrs. Clench and Nelles reported that they had carried up to the Honorable Legislative Council the Bill entitled "An Act to authorize the Governor, Lieutenant Governor, or person administering the Government of this Province, to license William Dickson, Esquire, to practice the Law in this Province, and to authorize the said William Dickson and other Attornies to take such numbers of Clerks as therein mentioned," and request their concurrence.

The House again resolved itself into Committee to go into further consideration of the Bill to compel transient and itinerant persons to satisfy small debts.

Mr. Speaker left the Chair.

Mr. Washburn again took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Washburn reported progress and asked leave to sit again.

Leave was accordingly granted.

Mr. Macdonell of York moved, seconded by Mr. Rogers, for leave to bring up the Petition on behalf of four several persons interested in the confirming and declaring valid four several fines levied or intended to have been levied in the Court of King's Bench in this Province.

Leave was accordingly granted.

Mr. Ferguson moved, seconded by Capt. Elliott, that so much of the Order of the Day as related to the Petition of the Six Nations of Indians lay over until the next Session of Parliament.

Mr. Macdonell of York, seconded by Mr. Clench, moved for leave to bring up the Petition of the Inhabitants of the Town of Ancaster.

Leave was accordingly given, and the Petition was ordered to lie upon the Table.

Agreeable to the Order of the Day the House resolved itself into Committee to go into the consideration of the Petition of Peter Hogeboom Esquire.

Mr. Speaker left the Chair.

Mr. Swayzie was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Swayzie reported that the Committee had directed him to report that the further consideration of the said petition be postponed for three months.

Which Report was accepted, and ordered accordingly.

On motion of Mr. Macdonell of York, seconded by Mr. Clench, the House ordered that the Bill for amending the Yonge Street do lie on the Table until next Session of Parliament.

Then was read the Petition of Joseph Ryerson, Esquire, Sheriff of the London District, which is as follows.

To the Honorable the Commons of Upper Canada
in Parliament assembled.

The Petition of Joseph Ryerson, Sheriff of the London District,
Humbly Sheweth,

That Your Petitioner has for upwards of three years served the Office of Sheriff in this District of London without any salary.

That the infant state of that District, the straggling and unconnected condition of the settlements, and the expenses and disbursements of various descriptions borne by Your Petitioner to prevent the administration of justice ceasing have much affected his private circumstances, his circumstances having been such as to have induced him to convert his own house into a goal for the benefit of the Public.

That Your Petitioner, having no other prospect of remuneration than through your Bounty, humbly prays that his case may be considered, and some compensation ordered by Your Honorable House. And Your Petitioner as in duty bound will ever pray.

(Signed) Joseph Ryerson
Sheriff of the District
of London.

Mr. Sheriff Macdonell then moved, seconded by Mr. Angus Macdonell of York, That this House do now resolve itself into Committee to take the prayer of the said Petition into consideration.

The House accordingly resolved itself into Committee to go into the consideration of the prayer of the said Petition.

Mr. Speaker left the Chair.

Mr. Nelles was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Nellies reported that it was the opinion of the Committee that the further consideration of the said Petition be postponed for three months.

Which Report was accepted, and ordered accordingly.

Then, on motion of Mr. Sheriff Macdonell, seconded by Mr. Solicitor General, the House adjourned.

Tuesday, 22nd February 1803.

Prayers were read.

Mr. Swayzie moved, seconded by Mr. Nelles, for leave to bring in a Bill on to-morrow for laying a duty on all Billiard Tables in this Province.

On the question being put a division thereupon took place; the names being called for by Mr. Clench they were taken down, and are as follows.

YEAS	NAYS
MESSRS SH'FF MACDONELL	MR. CLENCH
McCRAE	
ELLIOTT	
MACDONELL (York)	
NELLES	
SWAYZIE	
WASHBURN	
SOLICITOR GENERAL	

Carried in the affirmative by a majority of seven.

Leave was accordingly given.

Mr. Macdonell of York, seconded by Mr. Ferguson, moved for leave to bring in to-morrow a Bill to authorize for a limited time the Justices of His Majesty's Courts of His Bench to establish, regulate and diminish from time to time the Fees to be taken by the Practitioners and Officers of the several Courts of Justice within this Province.

A division then took place, the names were ordered to be taken down, and are as follows.

YEAS	NAYS
MESSRS SH'FF MACDONELL	MESSRS ELLIOTT
McCRAE	ROGERS
MACDONELL (York)	NELLES
FERGUSON	SWAYZIE
WASHBURN	CLENCH
SOLICITOR GENERAL.	

Carried in the affirmative by a majority of one.

Leave was accordingly granted.

Mr. Macdonell of York, seconded by Mr. Washburn, moved that the House do now resolve itself into Committee to take into consideration the most effectual means of advancing the culture, dressing and exportation of the future great staple of this Province, Hemp.

Mr. Solicitor General moved an amendment, seconded by Mr. Nelles, that after the word " the " in the fourth line of the motion made by Mr. Macdonell the following words be inserted, " Public Accounts."

Carried in the affirmative, and accordingly the House resolved itself into Committee on the Provincial Public Accounts.

Mr. Speaker left the Chair.

Mr. Swayzie was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Swayzie reported progress and asked leave to sit again.

Leave was accordingly granted.

Agreeable to the Order of the Day was read a third time the engrossed amendments made to the Bill entitled "An Act to enable married women having Real Estate more conveniently to alien and convey the same," and to confirm and declare valid four several fines, heretofore levied, or intended to have been levied, in the Court of King's Bench in this Province.

Which passed and was signed by Mr. Speaker.

Mr. Nelles moved, seconded by Mr. McCrae, that Mr. Sheriff Macdonell and Capt. Elliott do return to the Legislative Council the said Bill as amended, and request their concurrence to the said amendments.

Ordered accordingly.

Read for the second time, An Act to amend the Laws.

Mr. Ferguson moved, seconded by Mr. Rogers, that the further consideration of the said Bill be postponed for three months.

A division took place, the names being called by Mr. Washburn, they were taken down, and are as follows.

YEAS	NAYS
MESSRS FERGUSON	MESSRS SH'FF MACDONELL
ROGERS	ELLIOTT
SOLICITOR GENERAL	WASHBURN
SWAYZIE	MACDONELL (York)
NELLES	CLENCH
	McCRAE

Carried in the negative by a majority of one.

Messrs. Sheriff Macdonell and Elliott informed the House that they had, agreeable to the order of this House, returned and brought to the Honorable Legislative Council, as amended by this House, the Bill entitled "An Act to enable married women having Real Estate more conveniently to alien and convey the same," and to confirm and to declare valid four several fines, heretofore levied or intended to be levied in the Court of King's Bench in this Province, to which amendments they requested their concurrence.

Then, the names of the Members present were taken down, and are as follows.

Mr. Speaker,
MESSRS SOLICITOR GEN.
SH'FF MACDONELL
MACDONELL (York)
SWAYZIE
CLENCH
McCRAE
NELLES
ROGERS
WASHBURN

Mr. Speaker then adjourned the House for want of a quorum.

Wednesday, 23rd February 1803.

Prayers were read.

Mr. Macdonell of York moved, seconded by Capt. Elliott, That so much of the Order of the day as respects the third reading of the Bill for the more uniform laying of Assessments throughout this Province be dispensed with, and that the House do now resolve itself into Committee to go into the further consideration of the said Bill.

The House then resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Macdonell of York was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell reported a progress and asked for leave to sit again this day.

Leave was accordingly granted.

A Written Message from the Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am directed by the Honorable Legislative Council to inform this House that they do request a conference with the House of Assembly upon the subject of the amendments by them made, in and to a Bill to enable a married woman having Real Estate more conveniently to alien and convey the same and to confirm and declare valid four several fines heretofore levied or intended to be levied in the Court of King's Bench in this Province.

By order of the House.

H. Allcock
Speaker.

Legislative Council Chamber,
22nd February 1803.

And then withdrew.

Mr. Clench moved, seconded by Mr. Washburn, that Angus Macdonell of York, Isaac Swayzie. E. Washburn and Robert Nelles be a Committee to confer with the Committee of Conference of the Legislative Council on the amendments to a Bill entitled "An Act to enable married women having Real Estate the more easily to alienate the same."

Mr. Ferguson then moved in amendment, seconded by Mr. Thompson, to add to the Committee of Conference Mr. Solicitor General and Sheriff Macdonell.

Ordered accordingly.

Mr. Washburn, seconded by Mr. Thompson, moved that Messrs Ferguson and Rogers be a committee to carry up an answer to the message received from the Legislative Council respecting a conference on the amendment of an Act to enable married women the more easily to alienate their Real Estate.

Which was ordered accordingly.

Read, The Bill returned as amended by the Honorable Legislative Council, entitled "An Act to restrain the custom of permitting horned cattle, horses, sheep and swine from running at large."

Mr. Speaker having put the question, Shall this Bill now pass as amended, It was carried in the negative.

Mr. Sheriff Macdonell then moved, seconded by Mr. Nelles, that this Bill as amended be read for the second time to-morrow.

Ordered accordingly.

The House again resolved itself into Committee on the Assessment Bill.

Mr. Speaker left the Chair.

Mr. Macdonell of York again took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell of York reported that the Committee had gone through the consideration of the said Bill, to which they had made some amendments, which amendments he was directed to report to the House whenever they should be pleased to receive the same.

Then Mr. Clench, seconded by Mr. Ferguson, moved that the said report be not accepted.

A division ensued, and the names were taken down, and are as follows:

YEAS	NAYS
MESSRS FERGUSON	MESSRS SH'FF MACDONELL
ROGERS	ELLIOTT
SWAYZIE	SOL'R GENERAL
CLENCH	MACDONELL (York)
	McCRAE
	THOMPSON
	WASHBURN
	NELLES

Passed in the negative by a majority of four; then the Report was accordingly received and accepted.

The said Bill as amended was ordered to be engrossed and read a third time to-morrow.

Messrs. Rogers and Ferguson reported that in obedience to the order of this House they had in the Legislative Council Chamber informed that Honorable House that this House has appointed managers on their part to confer with those on the part of the Legislative Council on the subject of the amendments made to a Bill entitled "An Act to enable married women having Real Estate more conveniently to alien and convey the same."

The Messengers appointed to confer with the Committee of Conference of the Honorable Legislative Council reported that the Committee appointed to meet a Committee of Conference of the Legislative Council upon the Bill, have, upon deliberation, agreed that the amendment limiting the duration of the said Bill should be withdrawn.

Mr. Macdonell of York, seconded by Mr. Clench, moved that this House do not concur with the Committee in withdrawing the amendment.

Which passed in the negative.

Mr. Washburn, seconded by Captain Elliott, moved for leave on to-morrow to bring in a Bill for the payment of wages to the Members of the House of Assembly.

Leave was accordingly granted.

The Committee appointed to draft a Bill for the better securing to His Majesty, His Heirs and successors, the due collection and receipt of certain duties, reported that they had drafted a Bill for the above purpose, which they were ready to submit to the House whenever they shall be pleased to receive the same.

The House then resolved That the said draft of a Bill be now received,—which was delivered in at the Table.

And the said Bill was then read by the Clerk for the first time.

Then, on motion of Capt. Elliott, seconded by Mr. Ferguson, the said Bill was ordered to be read a second time to-morrow.

Read for the first time, The Bill entitled "An Act to amend an Act passed in the forty first year of His Majesty's Reign, for granting to His Majesty the like duties on goods brought into this Province from the United States as are now brought from Great Britain and other places."

Which Bill was ordered to be read a second time to-morrow.

The House then resolved itself into Committee on the Bill to amend the Laws.

Mr. Speaker left the Chair.

Mr. Nelles was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Nelles reported progress and asked leave to sit again to-morrow.

Mr. Rogers then moved in amendment, seconded by Mr. Ferguson, that the Committee have leave to sit again this day three months.

A division thereupon took place, the names being called for they were taken down, and are as follows.

YEAS	NAYS
MESSRS ROGERS	MESSRS SH'FF MACDONELL
FERGUSON	ELLIOTT
	MACDONELL (York)
	McCRAE
	WASHBURN
	SWAYZIE
	NELLES
	CLENCH
	THOMPSON

The same passed in the negative by a majority of seven.

Leave was accordingly granted.

Mr. Swayzie moved, seconded by Mr. Nelles, that so much of the Order of this Day for the first reading of a Bill for laying duties on Billiard Tables be considered as a part of the Order for to-morrow.

Ordered accordingly.

On motion of Mr. Sheriff Macdonell, seconded by Mr. McCrae, the House adjourned.

Thursday, 24th February 1803.

Prayers were read.

Mr. Clench moved, seconded by Mr. Rogers, that the following make an additional clause to the Bill entitled "An Act for the more uniform laying of Assessments and Rates in this Province."

And be it further enacted by the authority aforesaid, that it shall and may be lawful to and for each and every Member of the Commons House of Assembly, willing to receive some compensation for their reasonable expenses during their attendance in Parliament, to ask, demand and receive a certificate from the Speaker of the Assembly after every prorogation thereof, or from the Clerk after every dissolution, ascertaining the number of days which such Member shall have been attendant upon his Public duties as aforesaid, and necessarily absent from his usual place of residence in travelling to and returning from any Session thereof, upon the presenting of any which certificate to the General Quarter Sessions of the Peace, in and for the District represented wholly or in part by such Member, or in the absence of such Chairman, to the Senior Justice then upon the Bench of such General Quarter Sessions the said Chairman or senior Justice as the case may be shall issue a Warrant directed to the Treasurer of the District, thereby authorizing and requiring such Treasurer to pay to such Member, or his Assignee, a sum of money equal to ten shillings for each and every day specified and contained in such certificate, which money shall be issued and applied out of any fund then in the hands of such Treasurer, arising and accruing by virtue of this Act. Provided nevertheless, that if the fund at the time in the hands of such District Treasurer shall be insufficient, that then and in such cases such Treasurer shall satisfy, and he is hereby required to satisfy the amount of such Warrant, out of the first moneys which shall then next thereafter come into his hands by virtue of this Act.

A division thereupon ensued, the names were called for and taken down as follows.

YEAS

MESSRS ROGERS
WASHBURN
FERGUSON
CLENCH
NELLES
THOMPSON

NAYS

MESSRS SH'FF MACDONELL
SOLICITOR GEN.
ELLIOTT
McCRAE

Carried by a majority of two for the clause being added.

The amendment was then ordered to be engrossed.

Read a second time, The Revenue Bill.

The House then resolved itself into Committee to go into the further consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Thompson was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Thompson reported that the Committee had made some progress, and directed him to ask for leave to sit again.

Leave was accordingly given.

A Message from the Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

The Honorable Legislative Council have passed an Act to authorize the Governor, Lieut. Governor, or person administering the Government of this Province. to license William Dickson, Esquire, to practise the Law in this Province, to which they have made some amendments, to which amendment they desire the concurrence of this House.

And then withdrew.

Mr. Sheriff Macdonell, seconded by Mr. Clench, moved that the said Bill as amended by the Legislative Council be read for the second time on to-morrow.

Ordered accordingly.

Then was read for the third time the engrossed Bill for the more uniform laying Assessments and Rates in this Province, and to alter the method of payment of Wages to Members of the House of Assembly."

Which was ordered accordingly.

Mr. Speaker having put the question, Shall this Bill pass,

A division thereupon took place, the names being called for were taken down, and are as follows.

YEAS	NAYS
MESSRS ROGERS	MESSRS SHFF MACDONELL
FERGUSON	SOLICITOR GEN.
THOMPSON	MACDONELL (York)
NELLES	ELLIOTT
CLENCH	McCRAE
SWAYZIE	WASHBURN

The House being then divided Mr. Speaker gave his vote for the Bill's passing.

The Bill then passed and was signed by Mr. Speaker.

Mr. Washburn moved, seconded by Mr. Nelles, that Messrs. Rogers and Clench do carry up to the Legislature the said Bill, and request their concurrence.

Ordered accordingly.

Messrs Rogers and Clench reported that they had carried up the said Bill, to the Honorable Legislative Council, and did request their concurrence.

Mr. Speaker then read a paper handed to him by the Clerk, and is as follows.

The Clerk begs leave respectfully to inform Mr. Speaker that although the Honorable the House of Assembly did empower their then Speaker, the Hon. David William Smith, Esquire, to examine and pay the contingent accounts of this House for the second Session of the Third Parliament, which accounts were delivered to him, and still a balance due the Clerk amounting to Twenty Five Pounds Eight Shillings and Six Pence, as per voucher. This balance remains still unpaid, the reason why, the Clerk resumes, was the hurry of business, in which the late Speaker was engaged previous to his embarking to England.

(Signed) Donald MacLean.
Clerk of Ho. Ass'y

Commons House of Ass'y
23rd February 1803.

The House then resolved itself into Committee to go into the consideration of a Bill entitled "An Act to amend an Act passed in the forty first year of His Majesty's Reign for granting duties on goods and merchandize brought into this Province."

Mr. Speaker left the Chair.

Mr. Thompson again took the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Thompson reported that the Committee had made a progress, and was directed to ask leave to sit again to-morrow.

Leave was accordingly granted.

Then was read for the second time, A Bill for the better securing to His Majesty, His Heirs and Successors the due collection of duties imposed on Tavern, Shop and Still Licenses in this Province.

The House then resolved itself into Committee on the said Bill.

Mr. Speaker left the Chair.

Mr. Washburn was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Washburn reported a progress, and asked for leave to sit again to-morrow.

Leave was accordingy granted.

On motion of Mr. Solicitor General, seconded by Mr. Sheriff Macdonell, the House adjourned.

Friday, 25th February 1803.

Prayers were read.

Mr. Swayzie, seconded by Mr. Solicitor General, moved that the Bill for laying duties on Billiard Tables, which stood on the Order of the Day for yesterday, be now read for the first time.

The said Bill was then accordingly read for the first time.

Mr. Swayzie again moved, seconded by Mr. Solicitor General, that the said Bill be read a second time to-morrow.

Ordered accordingly.

Agreeable to the Order of the Day the House resolved itself into Committee to go into the further consideration of a Bill respecting licenses.

Mr. Speaker resumed the chair.

Mr. Washburn reported a progress and asked leave to sit again to-morrow.

Leave was accordingly given.

On motion of Mr. Washburn, seconded by Mr. Ferguson, the House adjourned.

Saturday, 26th February 1803.

Prayers were read.

Agreeable to the Order of the Day the House resolved itself into Committee on the Bill for the more uniform collecting the duties imposed on persons selling under licenses.

Mr. Speaker left the Chair.

Mr. Washburn was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Washburn reported that the Committee had gone through the consideration of the said Bill, to which they had made some amendments, which he was directed to report to the House whenever they would be pleased to receive the same.

Which Report the House then resolved should be received and accepted.

Then the said Bill as amended was ordered to be engrossed and read a third time on Monday next.

Then the House resolved itself into Committee to go into the consideration of a Bill for the better securing the collection and payment of duties on goods brought into this Province from the United States of America.

Mr. Speaker left the Chair.

Mr. Thompson was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Thompson reported a progress and asked for leave to sit again this day.

Leave was accordingly given.

A Message from the Honorable Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Legislative Council to inform this House that they have passed a Bill sent up from this House, to which they made some amendments, entitled "An Act for the more uniform laying of Assessments throughout this province, and to alter the method of payment of wages to Members of the House of Assembly," to which amendments they request the concurrence of this House.

And then withdrew.

The House again resolved itself into Committee on the Bill for imposing duties on certain goods brought from the United States of America into this Province.

Mr. Speaker left the Chair.

Mr. Thompson again took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Thompson reported a progress, and asked for leave to sit again on Monday next.

Leave was accordingly granted.

Then, on motion of Mr. Nelles, seconded by Mr. Macdonell of York, the House adjourned until Monday next.

Monday, 28th February 1803.

Prayers were read.

Then Mr. Macdonell of York moved, seconded by Mr. Sheriff Macdonell, that any five Members, together with the Speaker, be during the present Session a sufficient quorum of this House to compel the attendance of any Member who shall absent himself from his duty without leave of this House.

A division thereupon took place, the names were called for, they were taken down and are as follows.

YEAS

MESSRS SH'FF MACDONELL
WASHBURN
MACDONELL (York)
SOLICITOR GEN.

NAYS

MESSRS FERGUSON
ELLIOTT
MACDONELL (Glengarry)
ROGERS
NELLES
McCRAE
SWAYZIE
CLENCH

The same passed in the negative by a majority of four.

Mr. Solicitor General presented a Petition from Robert I. D. Gray and four others, which was ordered to lie on the table.

Then Mr. Clench moved, seconded by Mr. Macdonell of York, That so much of the Order of the Day as directs the third reading of the Bill for the more uniform collecting the duties imposed on persons selling spirituous liquors or working Stills under Licenses in this Province be discharged, and that the said Bill be now recommitted.

The House ordered the same, and accordingly resolved itself into Committee on the said Bill.

Mr. Speaker left the Chair.

Mr. Washburn was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Washburn reported that the Committee had gone through the consideration of the said Bill, to which they had made some amendments, which he was directed to report to the House whenever it shall be pleased to receive the same.

The House then resolved that the said Report be now received and accepted.

Then the said Bill as amended was ordered to be engrossed and read a third time to-morrow.

Agreeable to the Order of the Day the House resolved itself into Committee to go into the further consideration of the Bill for better securing the due collection and payment of duties on goods brought into this Province from the United States of America.

Mr. Speaker left the Chair.

Mr. Macdonell of Glengarry was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell of Glengarry reported that the Committee had gone through the consideration of the said Bill, which he was directed to report whenever the House would be pleased to receive the same.

Then, on motion of Mr. Clench, seconded by Mr. Sheriff Macdonell, it was resolved that the said Report be now received and accepted.

Agreeable to the Order of the Day was read for the second time the Bill entitled "An Act to compel transient and itinerant persons to satisfy small debts."

On motion of Mr. Macdonell of York, seconded by Mr. ————, the House adjourned.

Tuesday, 1st March, 1803.

Prayers were read.

Agreeable to leave the Petition of Hugh Macdonell, Esquire, was brought up and ordered to lie on the Table.

The Speaker then read a paper handed him by the Clerk, which is as follows.

Mr. Speaker,

The Clerk begs leave to inform this Honorable House that the wages now due the Copying Clerks exceeds the sum appropriated by law for that purpose. He therefore prays that he may receive the permission and sanction of this House further to employ Copying Clerks to assist him in doing the duty of this House.

(Signed) Donald MacLean
Cl'k Assembly

Commons House of Assembly,
28th February 1803.

Then Mr. Ferguson moved, seconded by Mr. Sheriff Macdonell, that Mr. Speaker recommend to the Clerk of this House that he do appoint Charles Willcocks to be his Copying Clerk.

A division thereupon took place, the names being called for were taken down, and are as follows.

YEAS	NAYS
MESSRS SH'FF MACDONELL	MESSRS MACDONELL (York)
ELLIOTT	MACDONELL (Glen)
ROGERS	SOLICITOR GEN.
WASHBURN	
SWAYZIE	
McCRAE	
CLENCH	

The same was carried in the affirmative by a majority of five.

And ordered accordingly.

Mr. Washburn, seconded by Mr. McCrae, moved for leave to bring in a Bill, to be read this day for the first time, to alter the mode of paying the Wages of the Members of the House of Assembly.

A division took place, the names being called for they were taken down, and are as follows.

YEAS	NAYS
MESSRS SH'FF MACDONELL	MESSRS CLENCH
ELLIOTT	SWAYZIE
MACDONELL (York)	MACDONELL (Glen)
SOLICITOR GEN.	
FERGUSON	
ROGERS	
WASHBURN	
McCRAE	

Carried in the affirmative by a majority of five.

Leave was accordingly granted, and the said Bill was read for the first time.

Mr. McCrae then moved, seconded by Mr. Swayzie, in amendment that after the word "on" the rest be expunged, and the words "three months" be inserted in lieu thereof.

Th question being put on the amendment, a division thereupon took place, the names being called for were taken down, and are as follows.

YEAS

MESSRS CLENCH
SWAYZIE

NAYS

MESSRS SH'FF MACDONELL
ELLIOTT
MACDONELL (York)
MACDONELL (Glen)
SOL'R GENERAL
FERGUSON
ROGERS
WASHBURN
McCRAE

The same passed in the negative by a majority of seven.

Then the main question having been put it was carried in the affirmative, and the said Bill was ordered to be read a second time on to-morrow.

Mr. Washburn then moved, seconded by Mr. Solicitor General, for leave to bring in a Bill to be read this day for the first time, which stood on the Order of the Day 4th of February, to amend an Act passed in the forty first year of His Majesty's Reign entitled "An Act to authorize the Governor, Lieutenant Governor, or person administering the Government of this Province, to appoint Inspectors of Flour, Pot and Pearl Ashes within this Province."

Leave was accordingly granted.

Mr. Sheriff Macdonell moved, seconded by Mr. Swayzie, That this House do now resolve itself into Committee to take into their consideration the amendments made by the Honorable the Legislative Council to a Bill entitled "An Act to authorize the Governor, Lieutenant Governor, or person administering the Government to appoint William Dickson, Esquire, to be a Practitioner in the Law."

The House accordingly resolved itself into Committee.

Mr. Speaker left the Chair.

Mr. Swayzie was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Swayzie reported that the Committee had gone through the consideration of the said Bill as amended by the Honorable the Legislative Council, and that he was directed to report the said Bill as amended by them.

Which report was accepted.

Mr. Rogers moved, seconded by Mr. Ferguson, that a message be sent to the Honorable the Legislative Council, informing them that this House have agreed to the amendments made by them to a Bill entitled "An Act to authorize the Governor, Lieut. Governor, or person administering the Government of this Province, to license William Dickson, Esquire, to practice the Law in this Province, and to authorize the said William Dickson and other Attornies to take such number of Clerks as therein mentioned," and that Messrs. McCrae and Elliott do carry up the same.

Ordered accordingly.

Then was read for the first time a Bill to authorize the Governor, Lieutenant Governor, or person administering the Government for the time being, to appoint Inspectors of Flour, Pot and Pearl Ashes, within this Province.

Mr. Washburn then moved, seconded by Mr. Ferguson, that the Inspector Bill be read a second time to-morrow.

Then was read by the Clerk at the Table the following Petition:

To the Honorable the Assembly of the Province of
Upper Canada in Parliament Assembled, &c. &c.

The Petition of Robert Isaac Dey Gray in behalf of three several persons and himself,

Humbly Sheweth,

That Your Petitioner, together with the Honorable John Elmsley, and William Cooper, has been concerned in the levying four several fines in the Court of King's Bench in this Province; and being advised that the said fines are not legal on account of the want of the necessary officers, to carry through the same, and that the said fines will not be effectual without the interposition of the Parliament of this Province,—most humbly and respectfully pray the Honorable the Assembly of this Province to lend their aid in framing and passing a law to declare such fines legal and effectual to all intents and purposes.

And Your Petitioners will most humbly and forever Pray.

(Signed) R. I. D. Gray,
20th Feb'y, 1803. for himself and four others.

On motion of Mr. Solicitor General, seconded by Mr. Clench, was read for the first time a Bill entitled "An Act to declare valid and effectual four several fines in the Court of King's Bench in this Province."

The said Bill was again read for the second time.

On motion of Mr. Clench, seconded by Mr. Rogers, the House resolved itself into Committee to go into consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Ferguson was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Ferguson reported that the Committee had gone through the consideration of the said Bill without making any amendments.

Which Report was accepted.

Then Mr. Clench moved, seconded by Captain Elliott, that the said Bill be engrossed and read a third time this day.

Ordered accordingly.

Then on motion of Mr. Macdonell of York, seconded by Mr. Washburn, the House resolved itself into Committee to go into consideration of the Pound Keepers' Bill, as amended by the Honorable the Legislative Council.

Mr. Speaker left the Chair.

Mr. McCrae was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. McCrae reported that it was the wish of the Committee that a conference be had with the Honorable the Legislative Council, in and on the amendments made by them to the said Bill.

Which Report was accepted, and ordered accordingly.

Agreeable to the Order of the Day was read for a third time, the Engrossed Bill entitled "An Act for the better securing to His Majesty, his Heirs and Successors, the collection of duties therein mentioned."

Then Mr. Macdonell of York, seconded by Mr. Solicitor General, moved that the title of the said Bill be "An Act for the better securing to His Majesty, his Heirs and Successors, the due collection and receipt of certain duties therein mentioned."

Ordered accordingly.

Which Bill was passed, and was signed by Mr. Speaker.

Then Mr. Rogers moved, seconded by Mr. Swayzie, That Mr. Washburn and Mr. Angus Macdonell of Glengarry be a Committee to request a conference with the Honorable the Legislative Council on the amendments made by them to a Bill entitled "An Act to extend the Provisions of an Act passed in the thirty fourth year of His Majesty's Reign, entitled "An Act to restrain the custom of permitting Horned Cattle, Horses, Sheep, and Swine to run at large."

The same was ordered accordingly.

Mr. Ferguson then moved, seconded by Mr. Solicitor General, for leave to bring in on tomorrow a Bill to declare what shall be deemed to be the Public Roads in certain parts of this Province.

Ordered accordingly.

On motion of Mr. Ferguson, seconded by Captain Elliott,

Ordered, That the Bill for laying duties on Goods and Merchandises brought into this Province from the United States be engrossed and read a third time this day.

Messrs. McCrae and Elliott reported that they had been up to the Honorable the Legislative Council, where they delivered the following message.

Mr. Speaker,

I am directed by the House of Assembly to inform this Honorable House that they have concurred in and to the amendments made by this House to a Bill entitled "An Act to authorize the Governor, the Lieutenant Governor, or person administering the Government of this Province, to License William Dickson, Esquire, to practice the Law in this Province, and to allow the said William Dickson and other Attornies to take such number of Clerks as therein mentioned."

(Signed) Richard Beasley,
Speaker.

Commons House of Assembly,
Tuesday, 1st March, 1803.

Messrs. Washburn and Macdonell of Glengarry reported that agreeable to the directions of this House they had gone up to the Legislative Council, and did there request a conference on the part of this House with the Honorable the Legislative Council on the amendments made by them to a Bill entitled "An Act to extend the Provisions of an Act passed in the thirty fourth year of His Majesty's Reign, entitled "An Act to restrain the custom of permitting Horned Cattle, Horses, Sheep, and Swine to run at large."

Mr. Gray (sic) moved, seconded by Mr. Ferguson, that Messrs. Rogers and Sheriff Macdonell be a Committee to carry up to the Legislative Council an Act for the better securing to His Majesty, his Heirs and Successors, the collection and receipt of certain duties therein mentioned, and to request their concurrence thereto.

Ordered accordingly.

Then the engrossed Bill entitled "An Act to declare valid four several fines levied or to be levied, in the Court of King's Bench, was read a third time.

Then Mr. Solicitor General moved, seconded by Mr. Ferguson, that the title of the Bill be "An Act to declare valid and effectual four several fines levied, or intended to be levied, in His Majesty's Court of King's Bench in this Province."

Ordered accordingly.

Mr. Solicitor General moved, seconded by Mr. Swayzie, that Mr. Rogers and Sheriff McDonell be a Committee to carry up to the Legislative Council an Act to declare valid and effectual four several fines, levied, or intended to be levied, in His Majesty's Court of King's Bench in this Province; and to request their concurrence thereto.

Which was ordered accordingly.

A Written Message from the Honorable the Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am directed by the Honorable the Legislative Council to inform this House that they have acceded to the conference requested, which may be holden at the rising of the Legislative Council, this day.

By Order of the House.

(Signed) H. Allcock,
Speaker.

Legislative Council Chamber,
Tuesday, 1st March, 1803.

And then withdrew.

Mr. Rogers and Sheriff Macdonell reported that they had carried up to the Honorable the Legislatve Council a Bill entitled "An Act for the better securing to His Majesty, his Heirs and Successors, the due collection and receipt of certain duties therein mentioned," and also the Bill entitled "An Act to declare valid and effectual four several fines, levied or intended to be levied, in His Majesty's Court of King's Bench in this Province," and to which several Bills they requested their concurrence.

Then was read for the third time the engrossed Bill entitled "An Act to explain and amend an Act passed in the forty first year of His Majesty's Reign, entitled "An Act for granting to His Majesty, his Heirs and Successors, to and for the use of this Province, the like duties on Goods and Merchandise brought into this Province from the United States of America, as are now paid on goods and Merchandise imported from Great Britain and other places; and to provide more effectually for the collection and payment of duties on Goods and Merchandise coming from the United States of America into this Province; and also to provide a fund for the erection and repairing of Light Houses."

The Bill then passed, and was signed by Mr. Speaker.

Mr. Rogers, seconded by Mr. Ferguson, moved that Mr. Macdonald of York and Mr. Ferguson do carry up the said Bill to the Honorable the Legislative Council and do request their concurrence.

Which was ordered accordingly.

Mr. Swayzie moved, seconded by Mr. Sheriff Macdonell, that Messrs Angus Macdonell, of York, Ferguson, McCrae, Elliott, Rogers, and Solicitor General be a Committee to confer with a Committee of the Honorable Legislative Council on the amendments made to the Pound Keepers' Bill.

Ordered accordingly.

Then Mr. Macdonell of York gave notice that he will move on tomorrow that this House do beseech by Address that His Excellency the Lieutenant Governor be pleased to order the sum of .... to be issued and advanced to such Commissioners as he may have appointed, or may hereafter appoint, for the purpose of distributing hemp seed gratis, to enable them to prosecute further that object.

And also the sum .... to be supplied under the management of such persons as he may be pleased to nominate in erecting Bridges and repairing Highways in such parts of this Province as may most immediately require the general aid of the Public.

And also .... to the Clerk of the House of Assembly, to enable him to answer and satisfy certain contingent disbursements of the present Session of Parliament, and to enable him to provide a supply of stationery for the future use of the Commons; which several sums of money the Commons will make good to His Excellency during the next Session of Parliament.

Mr. Macdonell of York, one of the Managers appointed to confer with the Committee of the Legislative Council on the amendments made by them in and to a Bill entitled "An Act to extend the Provisions of an Act passed in the thirty fourth year of His Majesty's Reign, entitled "An Act to restrain the custom of permitting Horned Cattle, Horses, Sheep and Swine to run at large," reported that the Managers in that behalf of this House had concurred in the said amendments, excepting in so far as relates to the Town of Cornwall, which the joint Committee had concurred in agreeing to expunge.

Mr. Clench then moved, seconded by Mr. Swayzie, that the House do not concur in the Report of the Committee.

A division thereupon took place, the names being called for, were taken down, and are as follows:

YEAS	NAYS
MESSRS ROGERS	MESSRS SH'FF MACDONELL
CLENCH	SOL'R GENERAL
SWAYZIE	MACDONELL (York)
	MACDONELL (Glen)
	FERGUSON
	McCRAE
	ELLIOTT

Passed in the negative by a majority of four.

The House accordingly concurred in the Report made by their Managers.

Then was read for the second time a Bill imposing a duty on Billiard Tables in this Province.

On motion of Mr. Sheriff Macdonell, seconded by Mr. Swayzie, the House resolved itself into Committee to go into consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Macdonell of York was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell of York reported that the Committee had gone through the consideration of the said Bill, to which they had made some amendments which he was directed to report to the House whenever they should be pleased to receive the same.

Mr. Clench then moved, seconded by Mr. Ferguson, that the said Report be not accepted.

A division ensued, the names being called for, they were taken down and are as follows:

YEAS	NAYS
MESSRS CLENCH	MESSRS SH'FF MACDONELL
ROGERS	SOL'R GENERAL
FERGUSON	MACDONELL (York)
McCRAE	MACDONELL (Glen)
	ELLIOTT
	SWAYZIE

The same was passed in the negative by a majority of two.

Then the Report was accordingly accepted.

Mr. Solicitor General then moved, seconded by Mr. Swayzie, that the said Bill be engrossed and read a third time tomorrow.

Mr. Ferguson moved in amendment, seconded by Mr. Clench, that the said Bill be engrossed and read a third time on Thursday next.

Which passed in the negative.

Then the main question was put, carried, and ordered accordingly.

Mr. Rogers moved, seconded by Mr. Ferguson, that this House do now adjourn.

Which passed in the negative.

Then Mr. Macdonell of York moved, seconded by Mr. Clench, that Messrs. Washburn and McCrae do inform the Legislative Council that this House has agreed to the Report made by their Managers in the conference relative to the amendments made in the Legislative Council in and to the Bill relating to Pound Keepers, and that this House has accordingly agreed to all the amendments aforesaid, excepting in so far as concerns the Town of Cornwall, which the Managers in conference concurred in agreeing to expunge.

Ordered accordingly.

Then on motion of Mr. Macdonell of York, seconded by Captain Elliott, the House adjourned.

Wednesday, 2nd March, 1803.

Prayers were read.

Messrs. Ferguson and Macdonell of York informed the House that they had carried up to the Honorable Legislative Council a Bill entitled "An Act for granting to His Majesty, his Heirs and Successors, to and for the use of this Province, the like duties on Goods and Merchandises brought into this Province from the United States of America as are now paid on Goods and Merchandise imported from Great Britain and other places; and to provide more effectually for the collection and payment of duties on Goods and Merchandise coming from the United States of America into this Province; and also to provide a fund for the erection and repairing of Light Houses—to which they request their concurrence.

A Message from the Honorable the Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Legislative Council to inform this Honorable House that they have concurred and passed the Bill entitled "An Act to declare valid and effectual four several fines, levied or intended to be levied, in His Majesty's Court of King's Bench in this Province," without any amendment.

And then withdrew.

Mr. Solicitor General then moved, seconded by Captain Eliott, that the House do now resolve itself into Committee to take into their consideration the amendments made by the Legislative Council to the Assessment Bill.

A division thereupon took place; the names being called for, they were taken down, and are as follows:

YEAS	NAYS
MESSRS SH'FF MACDONELL	MESSRS MACDONELL (York)
ELLIOTT	FERGUSON
SOLICITOR GENERAL	ROGERS
McCRAE	SWAYZIE
	CLENCH
	WASHBURN

It passed in the negative by a majority of two.

Then Mr. Macdonell of York, seconded by Captain Elliott, moved for leave to bring in tomorrow a Bill to ascertain and declare the rates at which real and personal property shall be assessable.

Thereupon a division ensued; the names were ordered to be taken down, and are as follows:

YEAS	NAYS
MESSRS SH'FF MACDONELL	MESSRS ROGERS
ELLIOTT	CLENCH
MACDONELL (York)	SWAYZIE
MACDONELL (Glen)	
SOL'R GENERAL	
WASHBURN	
McCRAE	

Carried in the affirmative by a majority of four.

Leave was accordingly given.

Messrs McCrae and Washburn informed the House that they had carried up to the Honorable the Legislative Council the following message.

Mr. Speaker,

I am directed by the House of Assembly to inform this Honorable House that they have concurred in the Report made by their Managers in conference yesterday of an Act to extend the Provisions of an Act passed in the thirty fourth year of His Majesty's Reign, entitled "An Act to restrain the custom of permitting horned cattle, horses, sheep and swine to run at large."

(Signed) Richard Beasley,
Speaker.

House of Assembly
Wednesday 2nd March, 1803.

Mr. Rogers moved, seconded by Mr. Clench, That this House do now resolve itself into Committee on the Bill to compel transient and itinerant persons to satisfy small debts.

The House resolved itself into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Ferguson was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Ferguson reported that the Committee had gone through the consideration of the said Bill, to which they made some amendments, which he was directed to report whenever the House will be pleased to receive the same.

The House then resolved that the said Report be now received.

Which Report was accordingly accepted.

The said Bill as amended was then ordered to be engrossed and read a third time this day.

A written Message from the Honorable Legislative Council by Mr. Burns Master in Chancery.

Mr. Speaker,

I am directed by the Honorable the Legislative Council to inform this House that they have accepted the Report of their Committee who held a conference with a Committee of the House of Assembly upon the subject of the amendments made by the said Honorable Legislative Council in and to a Bill entitled "An Act to extend the Provisions of an Act entitled 'An Act to restrain the custom of permitting horned cattle, horses, sheep and swine to run at large.'"

By Order of the House,

(Signed) H. Allcock,
Speaker.

Legislative Council Chamber
Wednesday, 2nd Mar. 1803.

Mr. Speaker,

I am commanded by the Legislative Council to inform this Honorable House that they have concurred and passed a Bill sent up from this House, entitled "An Act for the better securing to His Majesty, His Heirs and Successors, the due collection and receipt of certain duties therein mentioned."

And then withdrew.

Then was read for the first time An Act for declaring certain Roads heretofore laid out in this Province to be common and public Highways.

On motion of Mr. Ferguson, seconded by Capt. Elliott, the said Bill was read for the second time.

Then on motion of Capt. Elliott, seconded by Mr. Solicitor General, the House resolved itself into Committee on the said Bill.

Mr. Speaker left the Chair.

Mr. Swayzie was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Swayzie reported that the Committee had gone through the consideration of the said Bill without any amendment which he was directed to report whenever the House will be pleased to receive the same.

The House then resolved that the said Report be now received, and accepted.

On motion of Mr. Clench, seconded by Mr. Ferguson, the said Bill was ordered to be engrossed and read a third time to-morrow.

Then, on motion of Mr. Clench, seconded by Mr. Solicitor General, the Bill for imposing a duty on Billiard Tables was recommitted.

Mr. Speaker left the Chair.

Mr. Macdonell of York was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Macdonell reported that the Committee had taken up and gone through the consideration of the said Bill, to which they had made some amendments, which he was directed to communicate to the House whenever the House will be pleased to receive the same.

The report was accordingly received and accepted, and the said Bill, as amended, was ordered to be engrossed and read a third time to-morrow.

Then, on motion of Mr. Swayzie, seconded by Mr. Clench, the House adjourned until nine o'clock tomorrow morning.

Thursday, 3rd. March, 1803.

Prayers were read.

Mr. Speaker then ordered the Clerk to deliver the Assessment Bill returned as amended by the Legislative Council to Angus Macdonell, Esq., a Member of this House.

Read for the third time as engrossed, A Bill for laying a duty on Billiard Tables.

Mr. Solicitor General moved, seconded by Mr. Swayzie, that the title of this Bill be "An Act to impose and lay a duty upon Billiard Tables."

A division thereupon took place, the names were called for, and taken down, and are as follows.

YEAS		NAYS	
MESSRS	SH'FF MACDONELL	MESSRS	FERGUSON
	ELLIOTT		ROGERS
	SOLICITOR GEN.		CLENCH
	MACDONELL (York)		THOMPSON
	MACDONELL (Glen)		
	McCRAE		
	SWAYZIE		
	WASHBURN		

The same was carried in the affirmative by a majority of four and ordered accordingly.

Then Mr. Ferguson moved, seconded by Mr. A. Macdonell, that Messrs Swayzie and Washburn be a Committee to carry the Billiard Table Bill to the Honorable Legislative Council, and to request their concurrence thereto.

Ordered accordingly.

Mr. Ferguson moved, seconded by Mr. Sheriff Macdonell, that this House do present an Humble Address to His Excellency the Lieutenant Governor, requesting that he would be pleased to lay out and expend from time to time, and at all times, that he may think fit during three years next ensuing, and in such manner as he may think proper to direct, such sum or sums of money in opening, keeping in repair, and erecting bridges in the following Roads; that is to say the Road from the town of York to the Head of Lake Ontario, a Road from the Delaware Town to the Moravian Town, a Road from the mouth of the River Thames to the River Pike, and in opening a Road and erecting bridges from the east end of the Township of Thurlow through the Mohawk Lands in the Bay of Quinte to the western Line of the Township of Richmond; and in erecting bridges on the Rivers from the Town of York, to the River Trent, being a part of that Road commonly called Dundas Street—And also such sums as His Excellency may deem meet in aid of such Inhabitants along or near the said Road, where their numbers are so few as not to be able by their Statute Labour to keep the said Roads in repair; which sums shall not exceed the sum of Seven Hundred and Fifty Pounds, which sum or sums the Commons will make good.

Ordered accordingly.

Read for the third time, The engrossed Bill entitled "An Act to declare what shall be deemed Public Roards in certain parts of this Province."

Which passed and was signed by Mr. Speaker.

Mr. McCrae moved, seconded by Mr. Rogers, that Messrs Ferguson and Macdonell of Glengarry be a Committee to carry up this Bill to the Honorable the Legislative Council, to request their concurrence thereto.

Ordered accordingly.

Messrs. Swayzie and Washburn reported that they had carried up to the Honorable Legislative Council a Bill for laying a duty on Billiard Tables, and requested their concurrence.

Then was read for the third time, The engrossed Bill to ascertain and declare the Jurisdiction of the District Courts.

Which passed, and was signed by Mr. Speaker.

Messrs. Ferguson and Macdonell of Glengarry then reported that they had carried up to the Honorable the Legislative Council an Act to declare what shall be deemed to be Public Roads in certain parts of this Province, and requested their concurrence.

Mr. Rogers moved, seconded by Capt. Elliott, That Mr. Angus Macdonell of York and the Solicitor General be a Committee to carry up the engrossed Bill to ascertain and declare the Jurisdiction of the District Courts to the Honorable the Legislative Council and request their concurrence.

Ordered accordingly.

Messrs. Macdonell of York and Solicitor General reported that they had carried up to the Honorable the Legislative Council the Bill to ascertain and declare the Jurisdiction of the District Courts, and did request their concurrence thereto.

Mr. Solicitor General moved, seconded by Mr. Rogers, that Mr. Sheriff Macdonell and Mr. Ferguson be a Committee to draft the Address to His Excellency the Lieutenant Governor.

Ordered accordingly.

Read for the second time, The Bill for the better payment of Wages to the Members of the House of Assembly.

Mr. Washburn moved, seconded by Mr. Rogers, that the House do now resolve into Committee to take the said Bill into consideration.

The House accordingly resolved itself into Committee on the said Bill.

Mr. Speaker left the Chair.

Mr. Macdonell of Glengarry was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell of Glengarry reported progress, and asked leave to sit again this day.

Leave was accordingly granted.

Mr. Sheriff Macdonell and Mr. Ferguson reported that they had drafted an Address to His Excellency the Lieutenant Governor, which they were ready to submit to the House whenever they were pleased to receive the same.

The said Address was then read, passed, and signed by Mr. Speaker; and is as follows.

To His Excellency Peter Hunter, Esquire,
Lieutenant Governor of the Province of
Upper Canada, and Lieutenant General Commanding His Majesty's Forces in the Province of Upper and Lower Canada, &c. &c.

May it please Your Excellency:—

We, His Majesty's most dutiful and loyal subjects, the Commons of Upper Canada in Parliament assembled, having resolved that an humble Address be presented to Your Excellency, praying that the sum of money not exceeding seven hundred and fifty pounds be applied out of the unappropriated funds which are now in the Provincial Treasury, or may in the course of three years next ensuing be paid into the same, for the purpose of opening and keeping in repair Roads and Bridges in this Province:—We therefore pray that it may please Your Excellency favorably to approve of the Resolution of the Commons, and that Your Excellency be pleased to cause the same to be carried into effect as Your Excellency in Your discretion shall see fit; and which sum the Commons will make good.

(Signed) Richard Beasley,
Speaker.

Commons House of Assembly
3rd March, 1803.

The House then resolved itself into Committee to go into the further consideration of the Bill entitled "An Act for the better payment of Wages to the Members of the House of Assembly."

Mr. Speaker left the Chair.

Mr. Macdonell of Glengarry again took the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell reported a progress, and asked for leave to sit again this day.

Leave was granted accordingly.

Mr. Washburn moved, seconded by Mr. Macdonell of York, That Messrs Ferguson and Swayzie be a Committee to wait upon His Excellency the Lieutenant Governor to know at what time he will be pleased to receive the address voted this day.

Ordered accordingly.

The House again resolved itself into Committee on the Bill for the better payment of Wages to the Members of the House of Assembly.

Mr. Speaker resumed the Chair.

Mr. Macdonell of Glengarry again took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell reported that the Committee had gone through the consideration of the said Bill, to which they had made some amendments, which he was directed to report whenever the House should be pleased to receive the same.

On Mr. Speaker having put the question, Shall the report be now received,

A division took place, the names being called for they were taken down, and are as follows.

YEAS	NAYS
MESSRS SH'FF MACDONELL	MR. CLENCH
SOLICITOR GENERAL	
MACDONELL (York)	
ROGERS	
ELLIOTT	
WASHBURN	
McCRAE	
THOMPSON	
MACDONELL (Glengarry)	

Carried in the affirmative by a majority of eight, and the Report was then accepted.

Mr. Washburn then moved, seconded by Mr. McCrae that the said Bill be engrossed and read a third time this day.

Ordered accordingly.

Then was read for the third time, the Engrossed Bill for the better payment of Wages to the Members of the House of Assembly, which passed and was signed by Mr. Speaker.

Mr. Rogers moved, seconded by Mr. Solicitor General, That Mr. Washburn and Mr. Thompson be a Committee to carry up this Bill to the Honorable the Legislative Council and to request their concurrence thereto.

Ordered accordingly.

Messrs Washburn and Thompson reported that they had carried up the said Bill to the Honorable the Legislative Council and requested their concurrence.

Mr. Rogers moved, seconded by Mr. Clench, that this House do resolve itself into Committee to take into their further consideration the Public Accounts.

Then Mr. Macdonell of York, seconded by Mr. Solicitor General, moved an amendment, That the Bill for laying Assessments be now read a first time.

A division thereupon took place, the names were ordered to be taken down, and are as follows.

YEAS	NAYS
MESSRS SOLICITOR GEN.	MESSRS FERGUSON
ELLIOTT	ROGERS
MACDONELL (York)	CLENCH
MACDONELL (Glen)	SWAYZIE
McCRAE	THOMPSON
WASHBURN	

The amendment passed by a majority of one.

Mr. Speaker having put the question for the first reading of the said Bill, It was ordered accordingly, and the said Bill was read by the clerk at the Table for the first time.

Then Mr. Solicitor General moved, seconded by Mr. McCrae, That the said Bill be read a second time this day.

A division took place, the names were taken down, and are as follows.

YEAS	NAYS
MESSRS ELLIOTT	MESSRS FERGUSON
MACDONELL (York)	ROGERS
MACDONELL (Glen)	CLENCH
SOLICITOR GEN.	THOMPSON
McCRAE	
WASHBURN	

Carried in the affirmative by a majority of two.

The House accordingly resolved itself into Committee on the said Bill.

Mr. Speaker left the Chair.

Mr. Thompson was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Thompson reported that the Committee had gone through the consideration of the said Bill to which they had made some amendments, which amendments they were ready to submit to the consideration of the House whenever they were pleased to receive the same.

Mr. Speaker then put the question, Shall the Report be now received.

The House divided, the names were called for and taken down and are as follows.

YEAS	NAYS
MESSRS SHERIFF MACDONELL	MESSRS FERGUSON
ELLIOTT	ROGERS
MACDONELL (York)	CLENCH
MACDONELL (Glen)	THOMPSON
WASHBURN	
SOLICITOR GENERAL	

Carried in the affirmative by a majority of two.

The Report was then accordingly accepted.

Then Mr. Washburn moved, seconded by Mr. Macdonell of York, That the said Bill be engrossed and read a third time this Day.

Mr. Clench then moved in amendment, seconded by Mr. Rogers, That after the word "day" in Mr. Washburn's motion "three months" be inserted.

A division ensued, the names being called for were taken down and are as follows.

YEAS	NAYS
MESSRS THOMPSON	MESSRS SH'FF MACDONELL
ROGERS	ELLIOTT
FERGUSON	MACDONELL (York)
CLENCH	MACDONELL (Glen)
SWAYZIE	McCRAE
	WASHBURN
	SOLICITOR GEN.

The amendment then passed in the negative by a majority of two.

Then the main question was put and carried in the affirmative, and ordered accordingly.

Then Mr. Rogers, seconded by Mr. Macdonell of York, moved in amendment to the Bill just now read that after the words "twenty eight" the words "and thirtieth" be inserted.

Ordered accordingly.

Mr. Solicitor General moved, seconded by Mr. Washburn, that the words "next ensuing" and the word "for" which first occurs in the eighth line of the second Press be expunged, and in lieu of the word "for" the word "in" be inserted.

Ordered accordingly.

Mr. Ferguson then moved, seconded by Mr. Thompson, that the words "horned cattle from the" in the thirtieth line of the second Press, and the words "age of two years to four years One Pound" in the fourteenth line of the same be expunged.

Which passed in the negative.

Mr. Ferguson further moved, seconded by Mr. Rogers, that before the word "situate" in the seventeenth line from the bottom of the third Press, insert the words "of one acre," and after the words "Ten Pounds" in the fifth line from the bottom of the same Press, insert the words following "and in that proportion for every quarter or less lot."

Carried in the negative.

Mr. Rogers moved, seconded by Mr. Clench, that after the word "land" add the words "and three pence."

Passed in the negative.

Mr. Rogers then moved, seconded by Mr. Washburn, that after the word "entertainment" in the second clause of this Bill, the words "in the Towns of Sandwich, Amherstburg, Queenston, Niagara, York, Kingston and Cornwall" be inserted.

Which passed in the negative.

Mr. Rogers, seconded by Mr. Clench, then moved that the word "Penny" be expunged, and the word "Halfpenny" be inserted in lieu thereof.

The House divided, the names being called for, were taken down, and are as follows.

YEAS	NAYS
MESSRS FERGUSON	MESSRS SH'FF MACDONELL
ROGERS	ELLIOTT
THOMPSON	MACDONELL (York)
CLENCH	MACDONELL (Glen)
SWAYZIE	McCRAE
	WASHBURN

The same passed in the negative by a majority of one.

Mr. Rogers moved, seconded by Mr. Ferguson, that after the word "rated" in the fourth clause of this Bill, the words "including the wages of the Members of the House of Assembly" be inserted.

Carried in the negative.

Mr. Rogers, seconded by Mr. Swayzie, moved to expunge the words "upon sufficient proof being produced to them" and insert the words "upon such persons being found guilty by a Jury."

Carried in the negative

Mr. Rogers moved, seconded by Mr. Clench, to expunge the word "four" in the last clause of this Bill, and to insert the word "two."

A division took place, the names were called for and ordered to be taken down, and are as follows:

YEAS	NAYS
MESSRS ROGERS	MESSRS ELLIOTT
FERGUSON	SH'FF MACDONELL
SWAYZIE	MACDONELL (York)
CLENCH	MACDONELL (Glen)
THOMPSON	SOL'R GENERAL
	WASHBURN
	McCRAE

Passed in the negative by a majority of two.

Mr. Ferguson then moved, seconded by Mr. Rogers, to expunge the words "and from thence to the then ensuing Session of the Provincial Parliament."

A division ensued, the names being called for were taken down, and are as follows:

YEAS	NAYS
MESSRS ROGERS	MESSRS ELLIOTT
FERGUSON	SH'FF MACDONELL
SWAYZIE	MACDONELL (York)
CLENCH	MACDONELL (Glen)
THOMPSON	WASHBURN
	McCRAE
	SOLICITOR GENERAL

The same was passed in the negative by a majority of two.

Mr. Macdonell of York, seconded by Mr. Solicitor General, moved that the title of the said Bill be, "An Act particularizing the property, real and personal, which during the continuance thereof shall be subject to assessments and rates, and fixing the several valuations at which each and every particular of such property shall be rated and assessed."

Mr. Speaker having put the question, Shall this Bill pass as amended,

A division thereupon took place, the names were called for and taken down, and are as follows.

YEAS	NAYS
MESSRS ELLIOTT	MESSRS SWAYZIE
SH'FF MACDONELL	CLENCH
MACDONELL (York)	THOMPSON
MACDONELL (Glen)	ROGERS
WASHBURN	FERGUSON
SOLICITOR GEN.	
McCRAE	

The same was carried in the affirmative by a majority of two.

The Bill then passed as amended, and was signed by Mr. Speaker.

Mr. Solicitor General moved, seconded by Capt. Elliott, that Mr. Angus Macdonell of York and Mr. Washburn do carry up the said Bill to the Legislative Council, and request their concurrence thereto.

Ordered accordingly.

Mr. Rogers then moved, seconded by Mr. Thompson, that the House do adjourn.

The same was carried in the negative.

Mr. Ferguson then moved, seconded by Mr. Macdonell of Glengarry, for leave to bring in this day a Bill to explain and amend an Act passed in the Forty first year of His Majesty's Reign, entitled "An Act for granting to His Majesty, His Heirs and Successors, to and for the use of this Province, the like duties on goods and merchandise brought into this Province from the United States of America as are now paid on goods and merchandise imported from Great Britain and other places, " and to provide more effectually for the collection and payment of duties on Goods and merchandise coming from the United States of America into this Province, and also to establish a fund for the erection and repairing of Lighthouses.

Leave was accordingly granted.

Then the said Bill was read for the first time.

Mr. Solicitor General moved, seconded by Mr. Clench, that this Bill be now read a second time.

The said Bill was accordingly read the second time.

Mr. Solicitor General then moved, seconded by Mr. Swayzie, That the House do now resolve itself into Committee of the Whole House on the said Bill.

The House accordingly resolved itself into Committee on the said Bill.

Mr. Speaker left the Chair.

Mr. Macdonell of York was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell of York reported that the Committee had gone through the consideration of the said Bill, to which they had made some amendments, which he was directed to report to the House whenever they should be pleased to receive the same.

The House then resolved that the said Report be now received.

Accordingly the said Report was accepted.

Then the said Bill was ordered to be engrossed and read a third time this day.

Read a third time, The engrossed Bill for laying duties on goods and merchandize coming from the United States of America.

Then Mr. Macdonell of York, seconded by Mr. Clench, moved that the title of the said Bill be "An Act for the better preventing frauds and regulating abuses in His Majesty's Customs therein mentioned, and to establish and maintain Lighthouses in certain parts of this Province.

The same passed in the negative.

The Bill then passed and was signed by Mr. Speaker.

Mr. Solicitor General then moved, seconded by Mr. Swayzie, That Mr. Angus Macdonell of York and Mr. Washburn, do carry the said Bill to the Legislative Council and request their concurrence.

Ordered accordingly.

Then, on motion of Mr. Swayzie, seconded by Mr. Macdonell of York, the House adjourned until nine o'clock to-morrow morning.

Friday, 4th March 1803.

Prayers were read.

A Message from the Honorable the Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable the Legislative Council to inform this House that they have passed a Bill entitled "An Act to impose and lay a duty on Billiard Tables," to which they have made some amendments, to which they request the concurrence of this House.

And then withdrew.

On motion of Mr. Clench, seconded by Mr. Swayzie, the House resolved itself into Committee on the Provincial Public Accounts.

Mr. Speaker left the Chair.

Mr. Swayzie was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Swayzie reported progress, and for leave to sit again.

Leave was accordingly granted.

Then Mr. Ferguson moved, seconded by Mr. Rogers, that Mr. Speaker do name another member to take the Chair of the Committee on the Public Accounts, as the member named is on the Committee to carry an Address to His Excellency the Lieutenant Governor.

Mr. Macdonell of York, moved, as an amendment, seconded by Mr. Sheriff Macdonell, that in lieu of Messrs. Ferguson and Swayzie, named yesterday to wait on His Excellency with the Address of this House, that Mr. Sheriff Macdonell and Capt. Elliott be the Messengers for that purpose.

A division ensued, the names were called for and taken down as follows.

YEAS	NAYS
MESSRS SH'FF MACDONELL	MESSRS ROGERS
ELLIOTT	FERGUSON
MACDONELL (York)	SWAYZIE
McCRAE	CLENCH
WASHBURN	THOMPSON
	SOLICITOR GEN.

Passed in the negative by a majority of One.

The main question was then put and carried in the affirmative, and ordered accordingly.

The House again resolved itself into Committee on the Provincial Public Accounts.

Mr. Speaker left the Chair.

Mr. McCrae again took the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. McCrae reported a progress, and asked for leave to sit again this day.

Leave was accordingly granted.

A Message from the Honorable Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Legislative Council to inform this Honorable House that they have passed a Bill entitled "An Act to explain and amend an

Act passed in the forty first year of His Majesty's Reign entitled "An Act for granting to His Majesty, His Heirs and Successors, to and for the use of this Province, the like duties on goods and merchandise brought into this Province from the United States of America, as are now paid on goods and merchandise imported from Great Britain and other places," and to provide more effectually for the collection and payment of duties on goods and merchandise coming from the United States of America into this Province, and also to provide a fund for the erection and repairing of Lighthouses."

I am further commanded to inform this House that they have passed a Bill entitled "An Act for the more uniform laying Assessments throughout this Province," to which Bills they have made no amendments.

And then withdrew.

The House again resolved itself into Committee to go into the further consideration of the Provincial Public Accounts.

Mr. Speaker left the Chair.

Mr. McCrae again took the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. McCrae reported a progress, and asked leave to sit again this day.

Leave was accordingly granted.

Messrs. Ferguson and Swayzie informed the House that they had waited upon His Excellency the Lieutenant Governor with the Address of this House, to which he was pleased to make the following answer.

Gentlemen:—

I should be happy to comply with this Address of the House of Assembly, and assent to the application of a sum not exceeding Seven Hundred and Fifty Pounds out of the unappropriated funds which now are, or in the course of three years next ensuing may be, paid into the Provincial Treasury, for the purpose of opening and keeping in repair Roads and erecting bridges, were it not that I think it expedient that the sanction of the whole of the Legislative Body should be obtained for the appropriation of any part of the Revenues of this Province for so long a period as is mentioned in this Address.

4th March 1803.

Mr. Ferguson moved, seconded by Capt. Elliott, that the fifth Rule of this House, which requires that a Member intending to move any question shall give one day's previous notice, be dispensed with, and that he have leave to bring in this day a Bill to authorize His Excellency the Lieutenant Governor of this Province to lay out and expend a sum of money in opening and repairing Roads, and in erecting Bridges in this Province.

The same passed in the negative.

The House again resolved itself into Committee on the Provincial Public Accounts.

Mr. Speaker left the Chair.

Mr. McCrae again took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. McCrae informed the House that the Committee on the Provincial Public Accounts, which was adjourned from time to time, has agreed to report finally this day, which he was directed to submit to the House whenever they will be pleased to receive the same.

The House resolved that the Report be now received.

The Report was accordingly received, and is as follows.

The Committee of the Whole House upon the Provincial Public Accounts' report.

That the Committee took up and read the Provincial Public Accounts as hereunto annexed.

The Committee perceive a balance in the Provincial Treasurer's hands on account of Port and License Duties under Acts of the Provincial Parliament between the 28th May 1802 and 26th January 1803, amounting to	£1042	4.	8¼
The Committee also perceive that there is outstanding the sum of	775	1.	2¾
The Committee cannot, from unavoidable causes, exactly ascertain the amount of the duties from Lower Canada, but they have reason to believe that the amount of the said duties will be about	1159	0.	0.
	£2976.	5.	11
The Committee observe that the appropriated sum is	1090.	0.	0.
And leaves a balance of	£1886.	5.	11.

The Committee then took into their consideration the contingent account of the Officers of the Legislative Council, which is as follows, viz.:

These are to certify that the following sums are due for services performed and articles furnished to the Legislative Council during the present Session.

No. 1. Joshua Leech for a chair for the Legislative Council	7.	10.	0.
No. 2. William Allen's Account	32	18.	3.
No. 3. John McBeth's Do.	11.	1.	9¾
No. 4. Hugh McLean's " for the present session	1.	17.	6.
No. 5. For fatigue men employed by Capt. McGill to bring sheet iron for the House		15.	0.
To Samuel Ahern for a Stove	12.	10.	0.
To Samuel Fan Cloath for attendance on the House	8.	10.	0.
To Hugh McLean's account for the last Session	2.	14.	6.
To William Allen's further account for candles and wood	2.	0.	0.
To the Clerk of the Legislative Council for stationery and other contingencies	15.	0.	0.
To the same for copying Clerks	25.	0.	0.
To John Griffin's Account for attendance upon the House, six days before Samuel Fan Cloath was employed	1.	10.	0.
	£121.	7.	0¾
Deduct Copying Clerks	25.	0.	0.
Lawful money	£96.	7.	0¾

(Signed) H. Allcock,

4th March, 1803. Speaker.

Amounting to the sum of One Hundred and Eight Pounds Sixteen Shillings and Sixpence three Farthings.

The Committee then took into their consideration the Accounts of the Clerk of the House of Assembly, which are as follows, viz.

HOUSE OF ASSEMBLY

To the Clerk for contingencies, Dr.			
1802. Balance due to him last Session	25.	8.	6
Cash voted for Stationery and not received	23.	0.	0.
1803. John McBeth, Carpenter Account	14.	18.	0¾
Doorkeeper's Account	4.	15.	0.
A double stove bought from Mr. Wood by Mr. Speaker's orders for use of the House	15.	0.	0.
Mr. Duncan Cameron's Account	4.	10.	0.
Mr. Wood, for candles, candlesticks and tumblers		17.	6.
Firewood	5.	16.	3.
Henry Burton for attending the House of Assembly	9.	0.	0.
For extra Copying Clerks	25.	0.	0.
Sundry Disbursements	12.	0.	0.
Stationery	30.	0.	0.
Waters and Symons for printing	2.	10.	0.
	£174.	15.	3¾

March, 1803.

E. E. (Signed) Donald McLean,
Cl'k Assembly.

The Committee recommended that an humble Address be presented to His Excellency the Lieutenant Governor, praying that he will be pleased to issue his Warrant in addition to the sums already appropriated by law to the Clerk of the House of Assembly for £174. 15. 3 3-4, for sundry contingencies and extra copying clerks, and to procure a further supply of stationery for the future purpose of the House of Assembly, to be accounted for by the Clerk.

Also to issue his Warrant to the Clerk of the Legislative Council, for the sum of Fifteen Pounds to pay for stationery for the next session.

Also to issue his Warrant to the Usher of the Black Rod for the sum of Ninety Three Pounds, Sixteen Shillings and Sixpence three farthings for contingencies and disbursements for the use of the Legislative Council, all of which sums amount in the whole to the sum £303. 11. 10½.

4th March, 1803. (Signed) Thomas McCrae,
Chairman.

Mr. Rogers moved, seconded by Mr. McCrae, that Mr. Solicitor General and Mr. Sheriff Macdonell be a Committee to draft an Address to His Excellency the Lieutenant Governor, agreeable to the Report of the Committee of the Whole House on the Public Accounts.

Ordered accordingly.

Then Mr. Ferguson moved, seconded by Mr. Washburn, That the House do present an Humble Address to His Excellency the Lieutenant Governor, requesting that he would be pleased to lay out and expend from time to time and at any time he may think proper during one year from this time, such sum or sums of money, not exceeding Five Hundred Pounds, for the purpose of opening and keeping in repair Roads, and erecting Bridges in this Province, which sum the Commons will make good.

The same was ordered accordingly.

Mr. Washburn then moved, seconded by Capt. Elliott, That Messrs Ferguson and Thompson be a Committee to draft an Address to His Excellency the Lieutenant Governor for the purpose of carrying the foregoing into effect.

Ordered accordingly.

Mr. Angus Macdonell of York moved, seconded by Mr. Washburn, that the House do now resolve itself into Committee to take into consideration the means of promoting and further encouraging the growth and exportation of hemp.

The House then accordingly resolved itself into Committee to devise the best means for the improving and encouraging the culture of hemp in this Province.

Mr. Speaker left the Chair.

Mr. Clench was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Clench reported a progress, and asked leave to sit again this day.

Leave was accordingly given.

Mr. Solicitor General and Sheriff Macdonell informed the House that agreeable to an Order of this House they had drafted an Address to His Excellency the Lieutenant Governor, which they were ready to submit to the House whenever they shall be pleased to receive the same.

The House then resolved that the said Address be now received and read.

The said Address was then delivered to the Clerk at the Table, and by him read, and is as follows.

To His Excellency Peter Hunter, Esquire, Lieutenant Governor
of Upper Canada, and Lieut. Gen. Commanding His Majesty's
Forces in the Provinces of Upper and Lower Canada, &c. &c.

May it please your Excellency—

We, His Majesty's most dutiful and loyal subjects, the Commons of Upper Canada in Parliament assembled, do most humbly pray that Your Excellency will be pleased to issue your Warrant for the sum of One Hundred and Seventy Four Pounds Fifteen Shillings and Three pence Three Farthings to the Clerk of the House of Assembly, for sundry contingencies and extra copying clerks, and to procure a further supply of stationery for the further purposes of the House of Assembly. And that Your Excellency will be also pleased to issue your warrant to the Clerk of the Legislative Council for the sum of Fifteen Pounds for stationery for the ensuing Session of Parliament. And that Your Excellency will be further pleased to issue your Warrant to the Usher of the Black Rod for the sum of Ninety Three Pounds Sixteen Shillings and Sixpence Three Farthings for contingencies and disbursements for the Legislative Council, which we, the Commons of Upper Canada will make good to your Excellency in the next Session of Parliament.

Commons House of Assembly
4th March 1803.

Which address was approved of and signed by Mr. Speaker.

Mr. Sheriff Macdonell, seconded by Capt. Elliott, moved that Messrs Rogers and Washburn be a Committee to wait on His Excellency to know at what time he will be pleased to receive the Address.

Ordered accordingly.

Messrs. Ferguson and Thompson reported that agreeable to the resolution of this House they had drafted an Address to His Excellency the Lieutenant Governor, which they were ready to submit to the House whenever they shall be pleased to receive the same.

Resolved, That the said Address be now received.

Which Address was then read, approved, and signed by Mr. Speaker, and is as follows.

To His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada, and Lieut. Gen. Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada, &c. &c. &c.

May it please Your Excellency,

We, His Majesty's most dutiful and loyal subjects, the Commons of Upper Canada in Parliament assembled, having resolved that an humble Address be presented to Your Excellency, praying that a sum of money not exceeding Five Hundred Pounds be applied out of the unappropriated funds which now are in the Provincial Treasury, or may in the course of the present year be received into the same, for the purpose of opening and keeping in repair Roads, and erecting Bridges in this Province.

We therefore pray that it may please Your Excellency favorably to approve of this resolution of the Commons, and that Your Excellency will be pleased to cause the same to be carried into effect as Your Excellency in your discretion shall see fit, and which sum the Commons will make good during the next session of Parliament.

Commons House of Assembly,
4th March 1803.

On motion of Mr. Ferguson, seconded by Mr. Macdonell of York, Messrs Rogers and Washburn were ordered to wait upon His Excellency to know when he will be pleased to receive the said Address.

Mr. Macdonell of York, seconded by Mr. Swayzie, moved that an humble Address be presented to His Excellency the Lieutenant Governor, praying that he may be pleased to issue his Warrant for one hundred pounds to the Commissioners appointed, or to be appointed by him, for the purpose of purchasing hemp seed and distributing the same gratis, which sum this House will make good the next Session of Parliament.

On the question being put a division ensued, the names being called for they were taken down, and are as followeth.

YEAS

MESSRS SH'FF MACDONELL
MACDONELL (York)
MACDONELL (Glen)
SWAYZIE
McCRAE
WASHBURN

NAYS

MESSRS THOMPSON
ROGERS
FERGUSON
ELLIOTT
SOLICITOR GEN.
CLENCH

The House being divided, Mr. Speaker gave his vote against the Address being presented to His Excellency the Lieutenant Governor.

On motion of Mr. Swayzie, seconded by Capt. Elliott, the House adjourned.

Saturday, 5th March 1803.

Prayers were read.

Messrs Rogers and Washburn, the Messengers named by this House to wait upon His Excellency the Lieutenant Governor to know at what time he would be pleased to receive the two Addresses of this House, reported that he was pleased to appoint this forenoon at ten o'clock.

Mr. Sheriff Macdonell moved, seconded by Capt. Elliott, that Messrs. Rogers and Washburn be a Committee to wait on His Excellency with the Address praying that a Warrant may issue for the contingent accounts of the Legislative Council and House of Assembly, as well as the Address praying that His Excellency will lay out certain sums for the making and repairing Roads and Bridges.

Ordered accordingly.

Mr. Solicitor General moved, seconded by Mr. Clench, That the House do now resolve that the absence of so many Members from their duty in the present parliament has been the means of much delay in the Public business. This House does therefore, previously to its prorogation, think it necessary to express its surprise at, and disapprobation of the neglect of so many Members in not attending their public duty,—and that the names of the Members present be now inserted in the Journals.

Accordingly the names of the Members present were taken down and are as follows, viz.

MR. SPEAKER
MESSRS WASHBURN
MACDONELL (York)
SH'FF MACDONELL
MACDONELL (Glen)
ELLIOTT
SOLICITOR GEN.

McCRAE
SWAYZIE
ROGERS
FERGUSON
THOMPSON
CLENCH

Mr. Solicitor General then moved, seconded by Mr. Clench, That the Clerk of this House do provide six complete copies of the Laws of this Province before the next Session, and that he cause the same to be bound for the use of this House.

Ordered accordingly.

Messrs. Rogers and Washburn reported that in obedience to the Order of this House they had presented the two Addresses of this House, voted yesterday, to His Excellency the Lieutenant Governor, who was pleased to return the following answer to them.

Gentlemen,

I assent to the Address of the House of Assembly for issuing my Warrant for the sum of One Hundred and Seventy four Pounds Fifteen Shillings and Three pence Three farthings to the Clerk of the House of Assembly, for sundry contingencies and extra Copying Clerks; and to procure a further supply of stationery for the future purposes of the House of Assembly, and also for issuing my warrant to the Clerk of the Legislative Council for the sum of Fifteen Pounds, for stationery for the present Session, and Twenty Pounds, for stationery for the ensuing Session; and also for issuing my Warrant to the Usher of the Black Rod for the sum of ninety-three Pounds, Sixteen Shillings and Six pence three farthings, for contingencies and disbursements for the Legislative Council, and shall forthwith issue such Warrants accordingly.

5th March, 1803.

Gentlemen,

I should feel happy in assenting to the Address of the House of Assembly for applying a sum not exceeding Five Hundred Pounds out of the unappropriated funds of the Province, for the purpose of opening and keeping in repair Roads and Bridges; provided the urgency of the occasion induced an indispensable necessity for adopting such a measure without delay, but I conceive great advantages are to be derived from further consideration, particularly as I do not possess sufficient local knowledge of the subject referred to by the Address; and I also think it expedient that unless upon the most pressing and urgent necessity, or where small sums are in question, Parliamentary usage and the true spirit of our constitution render the concurrence of every branch of the Legislature essentially necessary to the expenditure of the Revenue of the Province.

5th March 1803.

Mr. Solicitor General moved, seconded by Mr. Rogers, that Mr. Speaker, be authorized to procure one large and elegant printing of His Majesty's Arms, for the Legislative Council Chamber, and one for the House of Assembly.

Which was ordered accordingly.

Mr. Macdonell of York moved, seconded by Mr. Washburn, that an humble Address be presented to His Excellency the Lieutenant Governor, which he read in his place, and is as follows, viz.

To His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada and Lieutenant General Commanding His Majesty's Forces in Upper and Lower Canada, &c., &c., &c.

May it please Your Excellency,

We, His Majesty's most dutiful and loyal subjects, the Commons of Upper Canada in Parliament Assembled, have taken this solemn occasion of humbly soliciting the continuance of Your Excellency's countenance and favor in behalf of that great object of our present hopes and inexhaustible source of our future wealth, the culture and exportation of hemp.

We submit to Your Excellency with due respect and deference that in several parts of this Province small parcels of hemp have been already raised and dressed for market, and, from the preparations making in general throughout the Province, that a considerable quantity will be raised for sale in the course of next autumn; but, may it please Your Excellency, the laudable attempt to render hemp a staple produce of this Province has, like all undertakings in their infancy, a difficulty of procuring purchasers who will advance the cash at a fair price, and export the commodity under the present circumstances of uncertainty as to profit or loss. Should it remain upon the hands of the raisers for want of buyers, the project will receive a check which it will have difficulty in surviving. We therefore presume to look with confidence to Your Excellency's fostering care, and humbly pray that it may please Your Excellency to cause to be advanced by way of loan upon the credit of this Province so much money as may be necessary to enable such Commissioners as it may please Your Excellency to appoint in different parts of this Province to buy up at such price and prices as Your Excellency may be pleased to stipulate all hemp ready and fit for the English market.

And, founded upon the experience we have had of Your Excellency's care and solicitude to render our feeble attempts to improve our internal resources, we hesitate not to hope that Your Excellency will further take orders that such hemp so to be purchased shall from time to time be sent to the London market at the risk of this Province, and there be sold for its benefit, having been first offered at His Majesty's Navy Board for such price as the Commissioners thereof may be disposed to allow.

And all such sum or sums of money as may remain in advance or be sunk by means of the promises we will make good to Your Excellency during the next Session of Parliament.

On the question being put, shall the Address as now read be presented to His Excellency the Lieutenant Governor, a division ensued, the names being called for were taken down, and are as follows, viz:—

YEAS	NAYS
MESSRS WASHBURN	MESSRS ROGERS
MACDONELL (York)	FERGUSON
SH'FF MACDONELL	THOMPSON
MACDONELL (Glen)	CLENCH
ELLIOTT	SOLICITOR GEN.
McCRAE	
SWAYZIE	

Carried in the affirmative by a majority of two for presenting the Address.

Mr. Solicitor General moved, seconded by Mr. Rogers, that after the word "hemp" in the fifteenth line the whole of the remainder of the Address be expunged, and the following be inserted in its place. "We therefore humbly pray that Your Excellency will be pleased to advance out of the unappropriated fund in the Provincial Treasury a sum not exceeding————, to be disposed of by Your Excellency in such manner as Your Excellency shall think proper to direct in encouraging the culture and exportation of hemp. And the Commons will make good the same in the ensuing Session of Parliament.

A division thereupon took place, the names were ordered to be taken down, and are as follows, viz.

YEAS

MESSRS SOL'R GENERAL
THOMPSON
ELLIOTT
ROGERS
McCRAE
CLENCH
FERGUSON

NAYS

MESSRS SH'FF MACDONELL
MACDONELL (Glen)
SWAYZIE

Carried in the affirmative by a majority of four, and ordered accordingly.

Mr. Solicitor General then moved, seconded by Mr. McCrae, that the blank be filled up with the words "two hundred and fifty pounds."

Mr. Ferguson then moved in amendment, seconded by Mr. Clench, that after the words "with the words" the remainder be expunged, and in lieu thereof insert the word "one hundred pounds."

On which motion or amendment no decision took place.

Mr. Macdonell of York then had permission to withdraw the draft of the Address voted this day to His Excellency the Lieutenant Governor.

Which by order of Mr. Speaker the Clerk returned to him.

Then a Member, getting up in his place, requested that all the proceedings might be continued upon the minutes as they took place in the House.

Which was ordered,—and then Mr. Macdonell of York delivered in to the Clerk at the Table the draft of an Address which was voted to have been presented to His Excellency as herein before set forth.

Then Mr. Macdonell of York, moved, seconded by Mr. Swayzie, that a Message be sent to the Legislative Council informing them that this House, being desirous of holding up further encouragement to the raisers of hemp, request a conference on the subject; and are ready to appoint managers to consult with the managers on their part on the best means of obtaining that laudable end.

Ordered accordingly.

Mr. Macdonell of York moved, seconded by Mr. Swayzie, that Sheriff Macdonell and Captain Elliott carry up a Message to the Legislative Council to request a conference with them.

A division thereupon took place, the names being called for, they were taken down, and are as follows, viz.

YEAS

MESSRS. SWAYZIE
WASHBURN
MACDONELL (York)
MACDONELL (Glen)
SH'FF MACDONELL
ELLIOTT
McCRAE

NAYS

MESSRS. FERGUSON
CLENCH
SOL'R GENERAL
THOMPSON
ROGERS

Carried in the affirmative by a majority of two, and ordered accordingly.

Then Messrs. Sheriff Macdonell and Elliott reported that they had been up at the Legislative Council and did inform them that this House requested a conference with them this day.

A Message from the Honorable the Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am directed to inform this Honorable House that the Legislative Council have acceded to the request of this House for a conference with them this day, and that they have appointed managers on their part to confer with the managers on the part of this House.

And then withdrew.

Mr. Macdonell of York moved, seconded by Mr. Macdonell of Glengarry, that Mr. Solicitor General, Captain Elliott, and Mr. Sheriff Macdonell be managers to confer with the managers named by the Legislative Council, on the subject of further encouraging the culture and exportation of hemp.

Then Mr. Ferguson, seconded by Mr. Swayzie, moved in amendment that Messrs. Thompson, Rogers, and Washburn be added to the Managers to confer with the managers on the part of the legislative Council on the subject of the culture of hemp.

On which motion or amendment no decision had been given.

Then James Clerk, Esquire, Clerk to the Legislative Council, came to the Bar, and there did inform Mr. Speaker that His Excellency the Lieutenant Governor was expected immediately in the Legislative Council Chamber.

A Message from His Excellency the Lieutenant Governor by Mr. George Law, Gentleman Usher of the Black Rod.

Mr. Speaker,

I am commanded by His Excellency the Lieutenant Governor to acquaint this Honorable House that it is His Excellency's pleasure that the Members thereof do forthwith attend upon His Excellency in the Legislative Council Chamber.

Accordingly Mr. Speaker with the House went up to attend His Excellency the Lieutenant Governor, where His Excellency was pleased to give, in His Majesty's name the Royal assent to the following Public and Private Bills.

An Act to authorize the Governor, Lieutenant Governor, or person administering the Government of this Province to license practitioners in the Law.

An Act to declare the rights of certain grantees of waste Lands of the Crown.

An Act to enable married women having Real Estate more conveniently to alien and convey the same.

An Act to encourage the destroying of wolves and bears in different parts of this Province.

An Act to repeal for a limited time part of an Act passed in the thirty-fourth year of His Majesty's Reign, entitled "An Act for the regulation of Juries."

An Act to authorize the Attornies now practising or hereafter to be duly admitted to practice to take such number of Clerks therein mentioned.

An Act to extend the provisions of an Act passed in the thirty fourth year of His Majesty's Reign, entitled "An Act to restrain the custom of permitting Horned Cattle, Horses, Sheep and Swine to run at large.

His Excellency was pleased to withhold His Majesty's assent from the following Bills.

An Act to declare valid and effectual four several fines levied or intended to be levied in His Majesty's Court of King's Bench of this Province.

Mr. Speaker then said,

May it please Your Excellency to approve of the four Bills which the House of Assembly, with the concurrence of the Legislative Council, have passed for aid to His Majesty.

An Act for the better securing to His Majesty, his Heirs and Successors, the due collection and receipt of certain duties therein mentioned.

An Act to explain and amend an Act passed in the forty first year of His Majesty's Reign, entitled "An Act for granting to His Majesty, his Heirs and Successors, to and for the uses of this Province, the like duties on Goods and Merchandize brought into this Province from the United States of America as are now paid on Goods and Merchandize imported from Great Britain and other places, and to provide more effectually for the collection and payment of duties on Goods and Merchandize coming from the United States of America into this Province, and also to establish a fund for the erecting and repairing of Light Houses."

An Act particularizing the property, real and personal, which during the continuance thereof shall be subject to assessments and rates, and fixing the several valuations at which each and every particular of such property shall be rated and assessed.

An Act the more conveniently to collect the compensation to the Members of the House of Assembly for their attendance in their duty in Parliament, and to repeal part of an Act passed in the Parliament of this Province in the thirty third year of His Majesty's Reign, entitled "An Act to authorize and direct the laying and collecting of assessments and rates within this Province, and to provide for the payment of wages to the House of Assembly."

To which His Excellency was pleased to give the Royal assent in His Majesty's name.

His Excellency was then pleased to make the following Speech to both Houses, videlicet.

Honorable Gentlemen of the Legislative Council
and
Gentlemen of the House of Assembly.

After so very long an attendance upon Your Parliamentary duty it becomes necessary and expedient to close the present Session. I trust that when the laws which you have been occupied in framing shall be published His Majesty's subjects of Upper Canada will form a due estimation of the importance of the different topics which have principally engaged your attention in the discharge of your public duties.

A very short experience has evinced that the industry which has already been exerted in the export trade of the country, has, even in the present infant state of the Province, produced advantages beyond the most sanguine expectations, and no doubt can be entertained but that a steady perseverance in that industry and an assiduous attention to the facilitating the mode of transport to the Lower Province, will eventually and rapidly raise this part of His Majesty's Dominions to a state of opulence and importance; and I trust that the culture and exportation of hemp will be found to be among the objects most worthy your future attention.

I cannot dismiss you without strongly recommending and urging to you the necessity of promoting by your own example in your respective Counties and Districts habits of sobriety and morality as the surest foundation of the future welfare of the Province, for whatever sound and wholesome laws may be passed for the Government of a people the wisdom and experience of ages has taught that a virtuous and religious example in the higher order of society is indispensably essential to the giving due effect to those laws and the introduction of good order and decorum among the great body of the people.

After which the Honorable Speaker of the Legislative Council said:

Gentlemen of the Legislative Council

and

Gentlemen of the House of Assembly.

It is His Excellency the Lieutenant Governor's will and pleasure that this Provincial Parliament be prorogued until the fifteenth day of April next ensuing, to be then here held, and this Provincial Parliament is accordingly prorogued until the fifteenth day of April next.

I do hereby certify that the above and what is written on the foregoing pages is a true copy of the Journals of the House of Assembly in Upper Canada, being the third Provincial Parliament, assembled at York on the twenty-seventh day of January last, agreeable to the Proclamation of His Excellency Peter Hunter, Esquire, Lieutenant Governor of Upper Canada and Lieutenant General Commanding His Majesty's Forces in Upper and Lower Canada, and prorogued by His Excellency the fifth day of March last.

DONALD MACLEAN,
Cl'k Ass'y.

York, Upper Canada,
15th April, 1803.

[Journal of the House of Assembly of Upper Canada in 1803.

Certified to be a true copy.

George Mayer,

Librarian and Keeper of the Records, Colonial Office, 18th July, 1855.]

Journal

OF THE

HOUSE OF ASSEMBLY

OF THE

Province of Upper Canada

1804.

Journal

OF THE

HOUSE OF ASSEMBLY

OF THE

Province of Upper Canada,

1804.

PETER HUNTER, Lieutenant Governor.

PROCLAMATION

GEORGE THE THIRD, by the Grace of God of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith.

To all our loving subjects GREETING.

WHEREAS by our proclamation bearing date the fifth day of March, we thought fit, by and with the advice of our Executive Council, to prorogue the provincial Parliament until the fifteenth day of this present month of April, at which time in our Town of York you were held and constrained to appear:—

But we taking into our Royal consideration the ease and convenience of our loving subjects have thought fit, by and with the advice of our Executive Council, to relieve you, and each of you, of your attendance at the time aforesaid, hereby convoking, and by these presents enjoining you, and each of you, that on the 18th. day of May next ensuing you meet us in our Provincial Parliament in our Town of York, there to take into consideration the state and welfare of our Province of Upper Canada, and therein to do as may seem necessary,—herein fail not.

In testimony whereof we have caused these our letters to be made patent, and the Great Seal of our said Province to be hereunto affixed.

Witness our trusty and well beloved Peter Hunter, Esquire, our Lieutenant Governor of our said Province, and Lieutenant General commanding our Forces in our Provinces of Upper and Lower Canada at York this eleventh day of April in the year of Our Lord one thousand eight hundred and three, and forty third of our Reign.

P. H.

W. Jarvis, Sec'y.

By a further Proclamation of His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada, and Lieutenant General commanding His Majesty's Forces in the Provinces of Upper and Lower Canada &c. &c. &c. dated at York the eleventh day of April one thousand eight hundred and three, the meeting of the Legislative Council and House of Assembly stands prorogued till the eighteenth day of May one thousand eight hundred and three.

By a further Proclamation of His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada, and Lieutenant General commanding His Majesty's Forces in the Provinces of Upper and Lower Canada &c. &c. &c. dated at York the fourteenth day of May, one thousand eight hundred and three, the meeting of the Legislative Council and House of Assembly stands prorogued to the twenty fifth day of June, one thousand eight hundred and three.

By a further Proclamation of His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada, and Lieutenant General commanding His Majesty's Forces in the Provinces of Upper and Lower Canada &c. &c., dated at York the twenty first day of June, one thousand eight hundred and three, the meeting of the Legislative Council and House of Assembly stands prorogued to the third day of August, one thousand eight hundred and three.

By a further Proclamation of His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada, and Lieutenant General commanding His Majesty's Forces in the Provinces of Upper and Lower Canada, &c. &c. dated at York the First day of August one thousand eight hundred and three, the meeting of the Legislative Council and House of Assembly stands prorogued to the tenth day of September one thousand eight hundred and three.

By a further Proclamation of His Excellency Peter Hunter, Esquire, Lieutenant Governor of our Province of Upper Canada, and Lieutenant General commanding His Majesty's Forces in the Provinces of Upper and Lower Canada, &c. &c., dated at York the third day of September one thousand eight hundred and three, the meeting of the Legislative Council and House of Assembly stands prorogued to the eighteenth day of October one thousand eight hundred and three.

By a further Proclamation of His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada, and Lieutenant General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada &c. &c. &c., dated at York the Tenth day of October one thousand eight hundred and three, the meeting of the Legislative Council and House of Assembly stands prorogued to the twenty-fifth day of November, one thousand eight hundred and three.

By a further Proclamation of His Excellency Peter Hunter, Esquire, Lieutenant General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada, &c. &c. dated at York the eighteenth day of November one thousand eight hundred and three, the meeting of the Legislative Council and House of Assembly stands prorogued to the fifth day of January one thousand eight hundred and four.

PETER HUNTER, Lieutenant Governor

PROCLAMATION

George the Third, by the Grace of God of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith.

To all Our Loving Subjects GREETING.

WHEREAS by our Proclamation bearing date the eighteenth day of November last, we thought fit, by and with the advice of Our Executive Council to prorogue Our Provincial Parliament of Upper Canada until the fifth day of January one thousand eight hundred and four, at which time, in our Town of York, you were held and constrained to appear; But we taking into our Royal consideration the ease and convenience of our loving subjects have thought fit, by and with the advice of our Executive Council, to relieve you, and each of you, of your attendance at the time aforesaid, hereby convoking, and by these presents enjoining you, and each of you, that on the first day of February next, which will be in the year of our Lord one thousand eight hundred and four, you do meet us in our Provincial Parliament in the Town of York, for the actual dispatch of Public Business, and to take into consideration the state and defence of our Province of Upper Canada, and therein to do as may seem necessary,—Herein fail not.

In testimony whereof we have caused these our Letters to be made patent and the Great Seal of the said Province hereunto affixed. Witness our Trusty and well beloved Peter Hunter, Esquire, our Lieutenant General commanding our Forces in our Provinces of Upper and Lower Canada, at York, this twenty sixth day of December in the Year of Our Lord one thousand eight hundred and three, and in the forty fourth year of Our Reign.

P. H.

William Jarvis, Sec.

HOUSE OF ASSEMBLY, UPPER CANADA.

York, Wednesday, 1st February, 1804.

At the Fourth Session of the Third Parliament of Upper Canada, begun and held in the Town of York on Wednesday the first day of February, in the forty fourth year of the Reign of our Sovereign Lord George the Third, by the Grace of God of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith and so forth, and in the year of Our Lord one thousand eight hundred and four.

His Excellency the Lieutenant Governor having prorogued the meeting of Parliament until the fifteenth day of April, one thousand eight hundred and three, and by his proclamation annexed having further prorogued the same from time to time until this day,

The House being met,

A Message by Mr. George Law, Gentleman Usher of the Black Rod.

Mr. Speaker:—

It is His Excellency the Lieutenant Governor's pleasure that this Honorable House do immediately attend him in the Honorable Legislative Council Chamber.

The House went up accordingly, and being returned, the names of the Members present were taken down, and are as follows.

MR. SPEAKER
MESSRS. MACDONELL (York)
SHERIFF MACDONELL
ELLIOTT
MESSRS. McCRAE
FERGUSON
NELLES
SWAYZIE

Mr. Speaker adjourned the House for want of a quorum.

Thursday, 2nd. February, 1804.

Mr. Speaker took the Chair.

Members present.

MESSRS. McCRAE
ELLIOTT
FERGUSON
MESSRS. SHERIFF MACDONELL
MACDONELL (York)
NELLES

Mr. Speaker adjourned the House for want of a quorum.

Friday, 3rd. February, 1804.

Present:

MR. SPEAKER
MESSRS. FERGUSON
MACDONELL (York)
SHERIFF MACDONELL
MESSRS. ELLIOTT
McCRAE
WASHBURN
SWAYZIE

At half after ten o'clock of the forenoon Mr. Speaker adjourned the House for want of a quorum.

Saturday, 4th. February, 1804.

Present:

MR. SPEAKER
MESSRS. FERGUSON
SWAYZIE
SHERIFF MACDONELL
MESSRS. McCRAE
WASHBURN
NELLES
ELLIOTT

At eleven o'clock in the forenoon Mr. Speaker adjourned the House for want of a quorum until Monday next at twelve o'clock noon.

Monday, 6th. February, 1804.

Present:

MR. SPEAKER
MESSRS. FERGUSON
SHERIFF MACDONELL
ELLIOTT
NELLES
MESSRS. WASHBURN
McCRAE
CLENCH
SWAYZIE

At half past twelve o'clock, p.m. Mr. Speaker adjourned the House for want of a quorum.

Tuesday, 7th. February, 1804.

Present:

MR. SPEAKER
MESSRS. NELLES
SWAYZIE
WASHBURN
SHERIFF MACDONELL
MESSRS. FERGUSON
MACDONELL (York)
CLENCH
McCRAE
ELLIOTT

At eleven o'clock Mr. Speaker adjourned the house until ten o'clock tomorrow in the forenoon.

Wednesday, 8th. February, 1804.

Prayers were read.

Mr. Speaker reported that the House had attended His Excellency the Lieutenant Governor in the Legislative Council Chamber on Wednesday, the first instant, when His Excellency had been pleased to open the present Session by a speech to both Houses, and that to prevent any mistakes he had obtained for the information of the House a copy of His Excellency's Speech, which was read as follows.

Honorable Gentlemen of the Legislative Council and
Gentlemen of the House of Assembly.

After the recess which has taken place since I last saw you here it became necessary I should call you together, and it is with concern that I have to announce to you that hostilities are again being renewed between our Parent Country and the French Republic.

Among the first objects I would recommend to your deliberation, is the security of this part of His Majesty's Dominions, by some wise and salutary law, calculated to protect the King's Government against aliens, and to afford His Majesty's subjects in this Province all the internal security which can be derived from timely and well concerted legislative precaution.

Gentlemen of the House of Assembly,

I shall direct the Public Accounts to be laid before you, and I have no doubt you will bestow on them that attention which the nature of the subject requires.

Honorable Gentlemen of the Legislative Council and
Gentlemen of the House of Assembly.

The dangerous state of the public records, and evidences of title to all the landed property of the Province, from the want of proper places of security for their deposit, certainly calls for redress; and I would recommend to you to take into your consideration the appropriation of a fund for the erection of proper buildings in which reasonable security may be afforded to these very valuable documents. It is unnecessary for me to enter upon any comment on the irretrievable calamity and evil which would arise to the King's subjects if, by fire or otherwise, any serious accident should befall these records. You cannot, therefore, too speedily interpose, and adopt such means of security as shall be found best calculated to promote this desirable object.

The situation of the present Public Roads, and the opening of new roads in the particular parts of the Province to which there is as yet very difficult access, is also a subject well entitled to your attention, and you cannot, in my opinion, better employ a reasonable part of the Public Revenue than to facilitate the means of communication between all the different parts of the Province, as a sure step to the increase of our commerce, and the advancement of the general prosperity of the Province.

Upon these and all other topics which may, during the present Session, form the subject matter of your council and discussions, I confidently trust you will use reasonable diligence, and that the result of all your consultations will bear ample testimony of the unshaken loyalty and attachment of this Province to His Majesty and His Government, and will be attended with the most happy and salutary consequences to these parts of His Majesty's Dominions, which though far removed from, are, and ever have been constant objects of his paternal care and protection.

Mr. Sheriff Macdonell, seconded by Mr. Ferguson, moved that the House do now resolve itself into Committee to take His Excellency the Lieutenant Governor's Speech into its consideration.

The House accordingly resolved itself into Committee.

Mr. Speaker left the Chair.

Mr. Sheriff Macdonell was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Sheriff Macdonell reported that it is the opinion of the Committee that a Select Committee be appointed to draft an Address to His Excellency the Lieutenant Governor in answer to his Speech.

Which Report was accepted.

Mr. Rogers moved, seconded by Mr. Swayzie, that Mr. Clench, Mr. Sherwood and Mr. Angus Macdonell. be a Committee to draft an Address to His Excellency the Lieutenant Governor, in answer to his Speech.

Ordered accordingly.

Mr. Speaker,

The Clerk of this House has the honor to inform you that the Clerks of the Peace for the different Districts in this Province have made him a return of all the ratable property in their respective Districts in compliance with the eighth section of the Act for the more uniform collecting of Assessments throughout this Province.

Mr. Speaker then ordered the different returns made by the Clerks of the Peace to be laid on the Table for the perusal of the Members, and afterwards to be entered into a book, to be of record in this House.

Mr. Macdonell of York moved, seconded by Captain Elliott, for leave to bring in on Monday next a Bill to appropriate a fund for ascertaining by experiment and trial the expediency and utility of a Provincial Institution, for the purchase and exportation of hemp, the growth of this Province, upon the account and at the risk of the Public.

Leave was accordingly given.

Mr. Ferguson then moved, seconded by Mr. Rogers, that he might be permitted to bring in a Bill on Friday next to explain and amend an Act, passed in the forty third year of His Majesty's Reign, entitled "An Act for the better securing to His Majesty, his Heirs and Successors, the due collection and receipt of certain duties therein mentioned."

Accordingly leave was granted.

Mr. Speaker,

The Clerk respectfully informs that agreeable to a resolution of this House last Session, that he did apply to the King's Printer for six complete copies of the Statutes of this Province, for use of this Honorable House; and was by him informed that the printing of them was not yet completed, but will be soon.

On motion of Mr. Clench, seconded by Mr. Swazey, the House adjourned.

Thursday, 9th. February, 1804.

Prayers were read.

Mr. Sherwood, from the Committee appointed to draft an Address of thanks to His Excellency the Lieutenant Governor for his Speech to both Houses on opening the present Session, reported that the Committee had prepared an Address accordingly, which he was directed to submit to the House whenever it should be pleased to receive the same.

Ordered, That the Report be now received.

Which Report he read in his place, and then delivered the same in at the Table.

Then, on motion of Mr. Sherwood, seconded by Mr. Nelles, the House resolved itself into Committee to take up the consideration of the answer to His Excellency's Speech to both Houses of Parliament.

Mr. Speaker left the Chair.

Mr. Weager was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Weager reported that the Committee had gone through the draft of an Address to His Excellency the Lieutenant Governor, to which they had made an amendment, which he was directed to report to the House whenever it should be pleased to receive the same.

Ordered, That the Report be now received.

Which Report was accepted, and the Address is as follows:

To His Excellency Peter Hunter, Esquire, Lieutenant Governor of Upper Canada and Lieutenant General commanding His Majesty's Forces in the Provinces of Upper and Lower Canada, &c. &c.

May it please Your Excellency,

We, His Majesty's most dutiful and loyal subjects, the Representatives of Upper Canada in Parliament assembled, beg leave to return to you the thanks of this House for Your Excellency's Speech.

We regret that an implacable and an ambitious enemy has compelled our Most Gracious Sovereign to a renewal of hostilities, in the defence of the safety of his people, and the dignity of his Government; but, relying upon the well known loyalty and valour of His subjects, and the strength of the United Empire, we hope with confidence for a happy termination of the war.

Fully convinced of the good effects to be derived from timely precaution against the insidious designs of hostile aliens, and of the indispensable necessity of assisting by every means in our power to give energy to His Majesty's Government in this Province, we will lose no time in taking these important objects into our consideration, and will cheerfully give aid to make such laws as may best protect the persons, and property of its inhabitants.

By receiving from Your Excellency an account of the receipt of the Provincial Revenues of the Crown we shall be able to deliberate upon such appropriation as may be most beneficial for the community.

The importance of providing safe places of deposit for the public records and evidences of title to the landed property in the colony is fully impressed upon our minds. We are convinced of the very great injury which would probably result from a fire breaking out among the present Archives, and we will readily cooperate with the other branches of the Legislature in making such provision as may guard against every casualty.

We shall willingly lend every possible assistance to facilitate an intercourse in this colony by ameliorating the roads in the different parts of it.

In the discharge of our Legislative duties we will observe proper diligence, and we pledge ourselves that the same loyalty and attachment to His Majesty, and to His Government, which have ever animated us, shall still pervade all our actions.

Mr. Rogers moved, seconded by Mr. Nelles, that the draft of the Address as amended in Committee be engrossed, and that Messengers be appointed to wait upon His Excellency the Lieutenant Governor to know when he will be pleased to receive the Address of this House in answer to His Excellency's Speech.

Ordered accordingly.

Mr. Sherwood then moved, seconded by Mr. Ferguson, that Mr. Rogers, Mr. Nelles, Mr. Sheriff Macdonell and Captain Elliott be messengers to wait upon His Excellency the Lieutenant Governor to know when His Excellency will be pleased to receive this House with its Address.

Ordered accordingly.

Mr. Sherwood again moved, seconded by Mr. Ferguson, for leave to bring in a Bill on Saturday next to extend the jurisdiction and alter the practice of the several District Courts throughout this Province.

Leave was accordingly granted.

The Address to His Excellency the Lieutenant Governor was read as engrossed, passed, and signed by Mr. Speaker.

On motion of Mr. Sherwood, seconded by Mr. Washburn, the House adjourned.

Friday, 10th. February, 1804.

Prayers were read.

Mr. Rogers, accompanied by the other Messengers, reported that in obedience to the Order of the House they had waited upon His Excellency the Lieutenant Governor to know his pleasure when he would receive this House with its Address, and that His Excellency was pleased to appoint this day at twelve o'clock.

Agreeable to the Order of the Day was read a Bill to explain and amend an Act passed in the forty third year of His Majesty's Reign, entitled "An Act for the better securing to His Majesty, His Heirs and Successors, the due collection and receipt of certain duties therein mentioned."

On motion of Mr. Ferguson, seconded by Mr. Clench, Ordered, That the said Bill be read a second time to-morrow.

At the time appointed Mr. Speaker and the House went up with the Address of this House to His Excellency the Lieutenant Governor.

And being returned, Mr. Speaker reported that the House had attended upon His Excellency with its Address, to which His Excellency had been pleased to return the following answer.

Gentlemen of the House of Assembly,

This dutiful and loyal Address affords me great satisfaction, and your assurance of co-operating in the enacting of laws calculated to give energy to His Majesty's Government in this Colony are particularly gratifying to me.

I confidently rely that your assiduous attention to the various important objects which may occupy your councils will tend to advance the prosperity and happiness of His Majesty's subjects in this Province, and bear testimony of your zealous and dutiful attachment to His Majesty and our happy constitution.

On motion of Mr. Swayzie, seconded by Captain Elliott, the House adjourned.

Saturday, 11th. February, 1804.

Prayers were read.

The Clerk informed Mr. Speaker that the Honorable John McGill, Esquire, and Thomas Scott, Esquire, Attorney General, two of the Commissioners appointed by His Excellency the Lieutenant Governor by Proclamation dated the second day of March, one thousand eight hundred and three, by virtue of the authority vested in him by a resolution of this House dated the sixth day of July, one thousand eight hundred and one, did send him, to be laid before this House, accounts, accompanied by vouchers, for moneys paid by them for the purchase of hemp seed, and premiums and bounties by them paid to deserving cultivators of hemp.

Which accounts and vouchers were ordered to lie on the table.

Mr. Macdonell of York moved, seconded by Mr. Sheriff Macdonell, for leave to bring in on Wednesday next a Bill for restoring the name of Toronto to the Town, Township, and County, lately changed into that of York.

Which passed in the negative.

Read for the second time, a Bill to explain and amend an Act passed in the forty third year of His Majesty's Reign, entitled "An Act for the better securing to His Majesty, His Heirs and Successors, the due collection and receipt of certain duties therein mentioned."

On motion of Mr. Ferguson, seconded by Mr. Swayzie, the House resolved itself into Committee.

Mr. Speaker left the Chair.

Mr. Sherwood was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Sherwood reported that the Committee had gone through the consideration of the said Bill, to which they had made some amendments, which amendments he was directed to submit to the House whenever it shall be pleased to receive the same.

A Message from the Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable Legislative Council to inform this Honorable House that they have passed an Act for the exemplary punishment of all and every person or persons who shall seduce or attempt to aid or assist any soldier to desert His Majesty's service, or who shall harbour, conceal, receive, or assist any deserter from such service.

And he then withdrew.

Which Bill was read the first time by order of the House.

Mr. Rogers moved, seconded by Mr. Swayzie, that the said Bill be read a second time on Monday next.

Ordered accordingly.

Then Mr. Rogers moved, seconded by Mr. Clench, that the Report of the Committee of the Whole House on the Bill entitled "An Act to amend an Act passed in the forty third year of His Majesty's Reign for the better securing the due collection of certain duties therein mentioned" be not accepted, but that the said Bill be now recommitted.

The House accordingly resolved itself into Committee on the said Bill.

Mr. Speaker left the Chair.

Mr. Sherwood again took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Sherwood reported progress, and was directed to ask for leave to sit again on Monday next.

Leave was accordingly given.

An Act to alter the practice and extend the jurisdiction of the several District Courts throughout this Province, was read for the first time.

On motion of Mr. Clench, seconded by Mr. McCrae, the House adjourned to Monday next.

Monday, 13th. February, 1804.

Prayers were read.

Agreeable to the Order of the Day was read a second time, a Bill entitled "An Act for the exemplary punishments of all persons aiding or assisting soldiers to desert his Majesty's service."

Mr. Clench moved, seconded by Mr. Swayzie, for leave to bring in on Wednesday a Bill to regulate the fees taken by the Clerk of the Crown, and also to establish Fees to be taken by the Clerks of the Peace, and for ascertaining by whom the Sheriff's Fees of Poundage and costs of levying shall be paid.

Leave was accordingly granted.

Then Mr. Clench moved, seconded by Mr. Swayzie, for leave to bring in on Thursday a Bill to authorize Justices of the Peace to hold to bail Vagrant and Itinerant persons for any sum of which the Commissioners of the Court of Requests have cognizance.

Accordingly leave was given.

On motion of Mr. Washburn, seconded by Mr. McCrae, the House resolved itself into Committee to go into the consideration of an Act to prevent desertion from His Majesty's service.

Mr. Speaker left the Chair.

Mr. Swayzie was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Swayzie reported that the Committee had gone through the consideration of the said Bill, to which they had made some amendments, which amendments he was directed to report to the House whenever it shall be pleased to receive the same.

The House then resolved that the said Report be now received and accepted.

Mr. Washburn moved, seconded by Mr. Swayzie, that the amendments made to this Bill be engrossed, and that the said Bill be read a third time to-morrow.

Which was ordered accordingly.

Was read the first time, A Bill entitled "An Act to appropriate a fund for ascertaining by experiment and trial the expedience and utility of a Provincial institution for the purchase and exportation of hemp, the growth of this Province, upon the account and risk of the public."

A Member in explanation of a Bill before the House was called to order—the sense of the House was taken by Mr. Speaker.

The Member was afterwards permitted to proceed.

Afterwards Mr. McCrae moved, seconded by Mr. Washburn, that the Bill entitled "An Act to appropriate a fund for ascertaining by experiment and trial the expediency and utility of a Provincial institution for the purchase and exportation of Hemp, the growth of this Province, upon the account and risk of the public," be read a second time on Thursday next.

Mr. Rogers moved, seconded by Mr. Sherwood, in amendment to Mr. McCrae's motion, That after the word "time" expunge the rest, and in lieu thereof insert "to-morrow."

Ordered accordingly.

On motion of Mr. Ferguson, seconded by Mr. Swayzie, the House resolved itself into Committee to go into the consideration of the Bill entitled "An Act to explain and amend an Act passed in the forty third year of His Majesty's Reign, entitled "An Act for the better securing to His Majesty, his Heirs and Successors, the due collection and receipt of certain duties therein mentioned."

Mr. Speaker left the Chair.

Mr. Sherwood was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Sherwood reported that the Committee had gone through the consideration of the said Bill, to which they had made some amendments.

Which Report was accepted.

Mr. Clench moved, seconded by Mr. McCrae, that the said Bill be engrossed and read a third time to-morrow.

Ordered accordingly.

On motion of Mr. Swayzie, seconded by Mr. Clench, the House adjourned.

Tuesday, 14th. February, 1804.

Prayers were read.

Mr. Washburn moved, seconded by Mr. Swayzie, for leave to bring in on Saturday next a Bill to extend the jurisdiction of an Act passed in the forty first year of His Majesty's Reign, entitled "An Act to authorize the Governor, Lieutenant Governor or person administering the Government, to appoint inspectors of Flour, Pot and Pearl Ashes within this Province."

Leave was accordingly granted.

Agreeable to leave given, Mr. Rogers brought up a petition from David McGregor Rogers, Esquire, which was ordered to lie on the Table.

By permission of the House, Mr. Swayzie brought up a petition from sundry Millers in this Province, and also a petition from the Inhabitants of the First Riding of the County of Lincoln, and West Riding of York, which petitions were ordered to lie on the Table.

On motion of Mr. McCrae, seconded by Captain Elliott, leave was given to bring in a Bill on Friday to restrain the custom of rams running at large, from the first of August, to the last of November, in this Province.

By permission of the House Mr. Rogers brought up the petition of A. Macdonell, Esquire, which was ordered to lie on the Table.

Then was read a third time as amended a Bill sent down from the Legislative Council, for the exemplary punishment of persons aiding or assisting soldiers to desert His Majesty's Service, which Bill passed as amended, and was signed by Mr. Speaker.

Mr. Clench, seconded by Mr. Nelles, moved that Mr. Sheriff Macdonell and Mr. Weager do carry the said Bill as amended to the Legislative Council and request their concurrence in the amendments.

Ordered accordingly.

Agreeable to leave given, Mr. Sheriff Macdonell brought up the petition of sundry Inhabitants of the County of Glengarry, which was ordered to lie on the Table.

Mr. Sheriff Macdonell, one of the Messengers named to carry up to the Honorable the Legislative Council a Bill for the exemplary punishment of persons aiding or assisting soldiers to desert His Majesty's Service, reported that they had carried up the said Bill.

Agreeable to the Order of the Day was read a third time, the engrossed Bill to explain and amend an Act, passed in the forty third year of His Majesty's Reign, entitled "An Act for the better securing to His Majesty, His Heirs and Successors, the due collection and receipt of certain duties therein mentioned; which having passed was signed by Mr. Speaker.

Mr. Ferguson, seconded by Mr. Sheriff Macdonell, moved that Mr. Rogers and Mr. Nelles do carry up the said Bill to the Legislative Council, and request their concurrence thereto.

Ordered accordingly.

Mr. Rogers, first named to carry up the said Bill to the Honorable the Legislative Council, reported that they had carried up the said Bill and did request their concurrence.

The Bill for the appropriation of a fund to ascertain by experiment and trial the expediency and utility of a Provincial Institution for the purchase and exportation of Hemp, the growth of this Province, upon the account, and at the risk of the Public, was read a second time.

On motion of Mr. Macdonell of York, seconded by Capt. Elliott, the House resolved itself into Committee to take up the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Ferguson was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Ferguson reported a progress, and asked leave to sit again.

Leave was accordingly granted.

On motion of Mr. Washburn, seconded by Mr. Rogers, the House adjourned.

Wednesday, 15th. February, 1804.

Prayers were read.

Mr. Sherwood, seconded by Mr. Ferguson, moved that the fifth Rule of this House be dispensed with, and that leave be given him to bring in a Bill to-day to make provisions for printing all the Provincial Statutes.

Leave was accordingly granted, and the said fifth Rule of this House was dispensed with.

The said Bill was read for the first time.

Mr. Washburn moved, seconded by Mr. Swayzie, for leave to bring in to-morrow a Bill to lay and collect a duty on all Billiard Tables within this Province.

Accordingly leave was given.

Mr. Clench, seconded by Mr. Rogers moved, that so much of the Order of the Day as relates to bringing in a Bill to regulate the fees to be taken by the Clerk of the Crown and Pleas, to establish Fees to be taken by the Clerks of the Peace, and to ascertain the manner of levying Sheriff's fees and poundage &c. be discharged, and that leave be granted to bring in the Bill to-morrow.

Ordered accordingly.

Mr. Ferguson then moved, seconded by Mr. Rogers, That the second Rule of this House be dispensed with, and that the Bill to make provisions for printing the Provincial Statutes be read a second time this day.

The same was ordered accordingly.

On motion of Mr. Rogers, seconded by Mr. Sherwood, the House resolved itself into Committee to take into consideration the Bill to make provisions for printing all the Provincial Statutes.

Mr. Speaker left the Chair.

Mr. Washburn was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Washburn reported the said Bill without any amendment.

Mr. Clench then moved, seconded by Mr. Macdonell of York, That the said Report be not received.

On which a division took place, the names were taken down, and are as follows.

YEAS.	NAYS.
MESSRS. CLENCH	MESSRS. SHERWOOD
MACDONELL (York)	ELLIOTT
	SHERIFF MACDONELL
	FERGUSON
	NELLES
	WEAGER
	SWAYZIE
	WASHBURN
	McCRAE
	BUELL
	ROGERS

Passed in the negative by a majority of nine, and the Report was received and accepted accordingly.

Mr. Ferguson, seconded by Mr. Sheriff Macdonell, moved that this Bill be engrossed and read a third time to-morrow.

Ordered accordingly.

Then Mr. Sherwood moved, seconded by Capt. Elliott, for leave to bring in a Bill to-morrow for amending the law.

Leave was granted accordingly.

Mr. Macdonell of York, seconded by Mr. Ferguson, moved for leave to bring in a Bill to provide for the appointment of Inspectors of Leather.

Which passed in the negative.

A Message from the Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

The Honorable the Legislative Council do request a conference with a Committee of the House of Assembly in that part of their amendments to the Bill for the exemplary punishment of all and every person and persons who shall seduce, or aid or assist or attempt to aid or assist, any soldier to desert His Majesty's Service, or who shall harbour, conceal, receive or assist any deserter from such service, which substitutes additional imprisonment for corporal punishment.

And then withdrew.

Mr. Clench, seconded by Mr. Weager, moved that this House do agree to confer with a Committee of the Honorable the Legislative Council on the said Bill, and that Messrs. Sheriff Macdonell, McCrae, Washburn, Nelles and Macdonell of York be a Committee to confer accordingly, and that the two first names of the said Committee do inform the Legislative Council of the agreement of this House to the proposed conference.

It was so ordered accordingly.

Mr. Rogers moved, seconded by Mr. Sheriff Macdonell, that Mr. Sherwood and Mr. Ferguson be added to the Committee appointed to confer with the Committee of the Honorable the Legislative Council on the amendments made to the said Bill.

A division thereupon took place, the names were ordered to be taken down, and are as follows.

YEAS.	NAYS.
MESSRS. ROGERS	MESSRS. MACDONELL (York)
SH'FF MACDONELL	CLENCH
ELLIOTT	WEAGER
SWAYZIE	McCRAE
SHERWOOD	WASHBURN
FERGUSON	BUELL
	NELLES

The same passed in the negative by a majority of one.

Messrs. Sheriff Macdonell and McCrae reported that in conformity with the directions of the House they had waited upon the Honorable the Legislative Council and informed them that this House had agreed to confer with the Honorable the Legislative Council on the subject matter of amendments made to a Bill entitled "An Act for the exemplary punishment of all and every person or persons who shall seduce, or aid or assist, or attempt to aid or assist, any soldier to desert His Majesty's Service, or who shall harbour, conceal, receive, or assist any deserter from such Service."

A Message from the Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

The Committee appointed by the Honorable the Legislative Council to confer with a Committee of the House of Assembly upon the subject of their message sent down to-day, are now ready to hold the said conference in the Council Chamber.

And then he withdrew.

At three o'clock in the afternoon Mr. Speaker adjourned the House for want of a quorum.

Thursday, 16th. February, 1804.

Prayers were read.

Mr. Sheriff Macdonell, from the Committee appointed to confer with a Committee of the Honorable the Legislative Council on the subject matter of amendments to the Bill entitled "An Act for the exemplary punishment of all and every person and persons who shall seduce, or attempt to seduce, or aid or assist, or attempt to aid or assist, any soldier to desert His Majesty's Service, or shall harbour, conceal, receive or assist any Deserter from such Service," reported that in obedience to the commands of this House the Committee had made some progress in the conference, and that they had adjourned the said conference to give them an opportunity of resorting to this House for further instructions.

On motion of Mr. Sherwood, seconded by Capt. Elliott, Resolved, That the Committee which was yesterday appointed to meet a Committee of the Legislative Council be authorized to modify the amendments, subject to the approbation of this House, and limit the duration of the Bill if agreed to.

Read a third time as engrossed, a Bill entitled "An Act for providing for compiling and printing all the Statutes of the several Parliaments of this Province, and to repeal part of an Act passed in the forty first year of His present Majesty, relative to printing Journals."

Mr. Sherwood, seconded by Capt. Elliott, moved that this Bill do pass, and that the title be "An Act to provide for compiling and printing all the Statutes of the several Parliaments of this Province and to repeal part of an Act passed in the forty first year of His present Majesty relative to printing Journals."

The said Bill then passed, and was signed by Mr. Speaker.

Mr. McCrae, seconded by Mr. Sherwood, moved that Mr. Rogers and Mr. Swayzie be Messengers to carry up the said Bill to the Legislative Council and to request their concurrence thereto.

Ordered accordingly.

Read the first time, a Bill entitled "An Act to regulate the fees to be taken by the Clerk of the Crown and Pleas, to establish Fees to be taken by the Clerks of the Peace in the respective Districts, and to ascertain the manner of levying Sheriff's Fees and Poundage in actions of trespass and simple contract debts."

Mr. Rogers, seconded by Mr. Swayzie, moved that the said Bill be read a second time to-morrow.

The same was ordered accordingly.

Read the first time, a Bill entitled "An Act to amend the Law."

Mr. Sherwood, seconded by Mr. Rogers, moved that the said Bill be read a second time to-morrow.

Which was ordered accordingly.

Mr. Washburn moved, seconded by Mr. Swayzie, that so much of the Order of this day as respects the first reading of the Billiard Table Bill be dispensed with, and that the same be brought in on Monday next.

Accordingly the same was ordered.

Mr. Macdonell of York, seconded by Mr. Clench, moved in amendment, that the words, "on Monday next" be expunged, and in lieu thereof be inserted "in three months."

Upon which a division took place, the names being called for were taken down, which are as follows.

YEAS.

MESSRS. CLENCH
FERGUSON
MACDONELL (YORK)
ROGERS

NAYS.

MESSRS. SH'FF MACDONELL
ELLIOTT
SHERWOOD
McCRAE
WASHBURN
SWAYZIE
NELLES
WEAGER

Which passed in the negative by a majority of four.

On the main question being put, the same was carried in the affirmative, and leave accordingly given.

Mr. Clench moved, seconded by Mr. Ferguson, that so much of the Order of the Day be discharged as relates to the first reading of a Bill authorizing Justices of the Peace to hold to bail vagrant and itinerant persons, for any sum of which the Commissioners of the Court of Requests have cognizance, and that the same be read this day three months.

The same was carried in the negative.

Mr. Rogers, seconded by Capt. Elliott, moved That the Order of the Day, so far as relates to the leave granted to Mr. Clench to bring in a Bill to authorize Justices of the Peace to hold to special bail be discharged.

Which was ordered accordingly.

Mr. Macdonell of York moved, seconded by Mr. Swayzie, for leave to bring in a Bill to-morrow to authorize His Majesty's Justices of the Peace to commit to jail vagrants and itinerant persons for certain offences therein mentioned.

Leave was given.

Messrs. Rogers and Swayzie reported that they had carried up to the Legislative Council the Bill entitled "An Act to provide for compiling and printing all the Statutes of the several Parliaments of this Province, &c. and did request their concurrence thereto.

Mr. Sheriff McDonell, one of the Committee appointed by this House to confer with the Committee of the Legislative Council on the subject matter of amendments to the Bill entitled "An Act for the exemplary punishment of all and every person and persons aiding or assisting Deserters from His Majesty's Service," reported that the Committee of this House in conference with a Committee of the Legislative Council have agreed to the following amendments to the said Bill.

"And if from the circumstances and heinousness of the crime it shall be thought proper and expedient to increase the punishment, such Court or judge shall also award and adjudge that such offender, so convicted as aforesaid, shall forfeit and pay a sum not exceeding forty pounds. And if such offender shall not on or before the third day previous to the expiration of such imprisonment as aforesaid pay such fine, that then and in such case the said offender shall be publicly whipped."

Which amendment was adopted as reported.

Mr. Rogers moved, seconded by Mr. Weager, That Mr. Ferguson and Mr. Swayzie be Messengers to carry up to the Legislative Council the following Message.

The House of Assembly do agree in passing the Bill for the exemplary punishment of all and every person and persons who shall seduce or attempt to seduce, or aid or assist, or attempt to aid or assist, any Soldier to desert His Majesty's Service, or who shall harbour, conceal, receive or assist, any deserter from such service, with the amendments as modified by the Committees of the two Houses.

Which was ordered accordingly.

Then was read the petition of divers Magistrates and others, Inhabitants of the County of Glengarry, which is as follows.

To His Excellency Peter Hunter, Esquire, Lieutenant Governor of His Majesty's Province of Upper Canada, and Lieutenant General Commanding His Majesty's Forces in Upper and Lower Canada, &c.

To the Honorable the Legislative Council and the Honorable the Members of the Commons House of Assembly of the said Province in Parliament assembled.

The petition of the undersigned Magistrates and others of the County of Glengarry, Eastern District,

HUMBLY SHEWETH

That amidst the many blessings Your Petitioners enjoy under the Constitution and Government of this Province, and notwithstanding the wise exertions of the Legislature to promote public prosperity, they still contemplate with anxiety the ill consequences that may result from the want of schools both to the present generation and to posterity.

That though the scarcity of these useful institutions may be ascribed in some degree to the infant state of the Province in general, and to the want of adequate means to give them weight and perpetuity, yet peculiar circumstances aggravate these unavoidable misfortunes, in this part of the Province in particular.

The Highlanders who form the great majority of inhabitants in this County, and who are in general a moral and religious people, are yet extremely backward in promoting any Public Institutions of learning.

In their native country they were accustomed to hear the beauties of Christianity inculcated in their mother tongue, whence many of them supposed that an English education was unnecessary, and what each individual was made to contribute by public authority towards the support of a school was so very light and so imperceptibly collected with the annual rents, that the mass of the people actually forgot that they bore any part of the burden.

These circumstances, together with the numerous charity schools established in different parts of the Highlands of Scotland, which cost nothing to the Inhabitants, have impressed the natives of that country with habits of thinking unfavorable to public institutions; and the few schools found among them here (by the painful exertions of certain individuals) are so discouraging and unprofitable to public instructors, that consequently they are fluctuating and of little value.

Your petitioners therefore submit it to your consideration whether the erection of schools by public authority, in the most central places in the country, under such regulations as may to your wisdom seem meet, and with such provisions as circumstances may afford, would not be a measure of great utility, both in a political and moral view, to the rising generation, and would not speedily counteract the effect of an improper bias, contracted by the people, who, in other respects are a reasonable and valuable description of men.

And as in duty bound Your petitioners shall ever pray &c.

(Signed) J. McDONELL, J.P.
ALEX. McMILLAN, J.P.
ALEX. McDONELL, J.P.
ALLAN McDONELL, J.P.
WALTER SUTHERLAND, J.P.
JOHN BETHUNE, *Minister.*
HUGH McDONELL }
JOHN McINTYRE }
DUNCAN McKENZIE } *Elders.*
DUNCAN McINTYRE }
DUNCAN MURCHISON }

Mr. Sheriff Macdonell, seconded by Mr. Ferguson, moved for leave to bring in a Bill on Monday next to make provision for the establishment of schools in each and every District within this Province.

A division took place, the names were taken down and were as follows.

YEAS.	NAYS.
MESSRS. FERGUSON	MESSRS. ELLIOTT
SH'FF MACDONELL	SHERWOOD
MACDONELL (York)	CLENCH
WASHBURN	SWAYZIE
McCRAE	ROGERS
	WEAGER
	NELLES

The same passed in the negative by a majority of two.

Mr. Macdonell of York then moved, seconded by Mr. Ferguson, for leave to bring in a Bill to provide for Public Schools in certain parts of this Province.

A division having taken place, the names were taken down and were as follows.

YEAS.	NAYS.
MESSRS. FERGUSON	MESSRS. ELLIOTT
MACDONELL (York)	SHERWOOD
SH'FF MACDONELL	CLENCH
WASHBURN	SWAYZIE
McCRAE	ROGERS
	WEAGER
	NELLES

And the same was negatived by a majority of two.

After which two petitions from sundry Millers in this Province were read in substance as follows.

To the Honorable the Legislative Council and Assembly of the Province of Upper Canada.

The petition of sundry Millers of the said Province

Humbly Sheweth,

That Your petitioners have erected mills for manufacturing grain in various parts of this Province at an expense far exceeding their expectations, owing, from their remote situation, to the dearness of materials and the very advanced price of labour in this new country, or purchased them at a very heavy expense; and from the smallness of toll established by law (which is much less than in any other part of America), and the low price of grain, find themselves in very embarrassed circumstances; the profits arising from their Mills being scarcely sufficient to keep them in repair for doing the coarser kinds of work without the prospect of reimbursing them for their prime cost.

That for erecting the machinery, for putting them into a condition for manufacturing the finest kinds of flour, they feel every discouragement; so that in a country producing wheat equal to any in America only a second quality of flour can be produced, to the great detriment of the farming interest and the Community in general, and your Petitioners in particular; as the best markets for this valuable article must be consequently supplied by the States, which this rising country under proper encouragement would soon be able to supply.

Under these considerations as Guardians of the Public welfare, they look to you for such relief as you in your wisdom shall see proper to grant.

And Your Petitioners as in duty bound will ever pray.

(Signed) John Darling
David Secord
Stephen Secord and
several others.

Also was read the Petition of David McGregor Rogers, Esquire.

To the Honorable the Commons of Upper Canada in Parliament assembled.

The Petition of David McGregor Rogers,

Humbly Sheweth,

That the place appointed by law for building a Gaol and Court House in the District of Newcastle is, under the present circumstances of that District, inconvenient.

Your Petitioner therefore prays that he may have leave to bring in a Bill to alter certain parts of an Act passed in the forty second year of His Majesty's Reign, entitled "An Act to provide for the administration of justice in the District of Newcastle."

And as in duty bound he will ever pray.

(Signed) D. M. G. Rogers.

For the first time was read a Bill entitled "An Act to alter certain parts of an Act passed in the forty second year of His Majesty's Reign, entitled "An Act to provide for the administration of justice in the District of Newcastle."

Mr. Rogers, seconded by Mr. Swayzie, moved that the said Bill be read a second time to-morrow.

Which was ordered accordingly.

The Petition of Angus Macdonell, Esquire, for leave to bring in a Bill to change the name of York into that of Toronto was read as follows.

To the Honorable the Commons of Upper Canada in Parliament assembled.

The Petition of Angus Macdonell

Humbly Sheweth,

That the name of Toronto, by which the Town, Township and County (now called York) were formerly distinguished, being more familiar and agreeable to the inhabitants of the said Town, Township and County than that of York, Your petitioner prays that he may have the leave of this Honorable House to bring in a Bill for restoring the former name of Toronto to the said Town, Township and County.

And Your petitioner as in duty bound will ever pray.

York, 18th. February, 1804.

(Signed) A. Macdonell.

Leave was given to him to bring in a Bill agreeable to the prayer of the said Petition.

Mr. Washburn moved, seconded by Mr. Ferguson, for leave to bring in a Bill to provide for Public Schools within this Province out of any fund remaining unappropriated in the Provincial Treasury.

The House being divided Mr. Speaker gave his vote for not bringing in the Bill.

On motion of Mr. Ferguson, seconded by Mr. Swayzie, the House adjourned.

Friday 17th. February, 1804.

Prayers were read.

Mr. Macdonell of York, seconded by Capt. Elliott, moved for leave to bring in a Bill relative to the Public Highways and Roads of this Province.

Leave was accordingly granted.

Read a second time, A Bill entitled "An Act to regulate the Fees to be taken by the Clerk of the Crown and Pleas, to establish Fees to be taken by the Clerks of the Peace, and to ascertain the manner of levying Sheriff's Fees and Poundage."

Then Mr. Clench, seconded by Mr. Rogers, moved that this House do now resolve itself into Committee to take the said Bill into its consideration.

Accordingly the House resolved itself into Committee on the said Bill.

Mr. Speaker left the Chair.

Mr. Nelles was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Nelles reported a progress and asked for leave to sit again.

Leave was granted accordingly.

Then, on motion of Mr. Sherwood, seconded by Mr. Macdonell of York, the House resolved itself into Committee to take into its consideration the Bill entitled "An Act to amend the Law."

Mr. Speaker left the Chair.

Mr. Rogers was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Rogers reported the said Bill without any amendment.

Which Report was accepted.

Mr. Sherwood then moved, seconded by Mr. Sheriff Macdonell, that the said Bill be engrossed and read a third time to-morrow.

Ordered accordingly.

Read for the second time a Bill entitled "An Act to alter certain parts of an Act passed in the forty second year of His Majesty's Reign, entitled "An Act to provide for the administration of justice in the District of Newcastle."

Then, on motion of Mr. Rogers, seconded by Mr. Nelles, the House resolved itself into Committee to take up the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Macdonell of York was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Macdonell of York reported that the Committee had gone through the consideration of the said Bill without any amendment.

Mr. Sheriff Macdonell, seconded by Mr. Washburn, moved that the said Report be not accepted.

Upon which a division took place, the names were ordered to be taken down, which are as follows.

YEAS.	NAYS.
MESSRS. FERGUSON	MESSRS. SWAYZIE
SH'FF MACDONELL	CLENCH
MACDONELL (York)	SHERWOOD
WASHBURN	McCRAE
	NELLES
	ROGERS
	WEAGER
	BUELL

The same was carried in the negative by a majority of four.

William Jarvis, Esquire, Secretary to the Province, by order of His Excellency the Lieutenant Governor, delivered in at the Bar of this House the Provincial Public Accounts as per schedule, which was read by the Clerk, and afterwards ordered to lie on the Table.

SCHEDULE OF ACCOUNTS laid before the House of Assembly.

No. 1. List of Shop, Tavern, and Still Licenses issued in the Western District, and in the District of Johnstown, which expired on the 5th. of April, 1803.

No. 2 General Statement of Mr. Secretary Jarvis's Account with Government for their issue of Shop, Tavern and Still Licenses up to the 5th. of April, 1803.

No. 3 The Inspector's list of names of persons licensed as Shop and Innkeepers, for the year ending 5th. of April, 1804.

No. 4 Inspector's list of names of such persons as have been licensed to work stills for the year ending 5th. of April, 1804, with amount of duty collected thereon.

No. 5 Provincial Revenue of the Crown, arising from duties collected on goods imported under Acts of the Provincial Parliament, between the 1st. of January and the 31st. of December, 1803.

No. 6 Provincial Revenue of the Crown, arising from duties collected on goods imported under authority of Acts of the Parliament of Great Britain, between the 1st. of January and the 31st. of December, 1803.

No. 7 General account of articles on which duties on importation are imposed by the Legislature of Lower Canada, which have passed Côteau du Lac upwards from the 1st. January to the 30th. June, 1803.

No. 8 Abstract of Warrant issued by His Excellency, Lieutenant General Peter Hunter, Lieutenant Governor of the Province of Upper Canada, for moneys charged against the funds arising from duties imposed by the Provincial Legislature.

No. 9 General account of articles on which duties on importation are imposed by the Legislature of Lower Canada, which have passed Côteau du Lac upwards from 1st. July to 31st. December, 1803.

No. 10 Abstract statement of moneys collected on Shop, Tavern and Still licenses for the year ending the 5th. of April, 1804, after deducting ten per cent. allowed for the Inspectors.

No. 11 Abstract statement of moneys collected on Shop and Tavern Licenses for the year ending the 5th. of April, 1804, under the authority of Acts of the Parliament of Great Britain, after deducting ten per cent. allowed to the Inspectors.

No. 12 Account of cash received by the Honorable Peter Russell, Receiver General, for fines and forfeitures under authority of Acts of the Parliament of Great Britain, between the 1st. of January and the 31st. December, 1803.

No. 13 Account of cash received by the Honorable Peter Russell, Receiver General, for Light House duty, between the 1st. of April and the 31st. December, 1803.

No. 14 General state of cash received by the Honorable Peter Russell, Receiver General, for duties and fines under authority of Acts of the Parliament of Great Britain, between the 1st. January, 1803, and the 5th. February, 1804.

No. 15 General state of receipts and payment by the Honorable Peter Russell, Receiver General for duties and fines under the authority of Acts of the Provincial Parliament, between the 27th. January, 1803, and the 5th. of February, 1804.

No. 16 Statement of Colin McNabb, Esquire's, account for duties collected on goods at the ports of Niagara and Queenstown.

No. 17 Statement showing the several sums that have been paid by Great Britain, for the Province, in the year 1803, exclusive of the annual sum of eight thousand one hundred pounds sterling, granted by the British Parliament in support of the civil Government of Upper Canada, and the sums that have been charged against the Provincial Revenue of the Crown.

Inspector General's Office,
York, 13th. Feb'y, 1804.

(Signed) John McGill,
Inspr. Gen.
P. P. Accounts.

(Schedule in Appendix.)

Mr. Rogers moved, seconded by Mr. Swayzie, that the Bill entitled "An Act to alter certain parts of an Act passed in the forty second year of His Majesty's Reign, entitled "An Act to provide for the administration of Justice in the District of Newcastle" be engrossed and read a third time to-morrow.

Ordered accordingly.

Then for the first time was read a Bill entitled, "An Act to restrain the custom of permitting male sheep or rams to run at large at certain seasons of the year."

Then Mr. McCrae, seconded by Mr. Washburn, moved that the said Bill be read a second time to-morrow.

And it was ordered accordingly.

The Bill entitled "An Act to authorize Justices of the peace to commit to gaol vagrant and itinerant persons for offences therein mentioned" was read for the first time.

Mr. Clench, seconded by Mr. Ferguson, moved that the said Bill be read a second time to-morrow.

Accordingly it was ordered.

On motion of Mr. Sherwood, seconded by Mr. Nelles, the House resolved itself into Committee to take into its consideration the Bill entitled "An Act to appropriate a fund, &c., for the purchase and exportation of hemp, the growth of this Province."

Mr. Speaker left the Chair.

Mr. Ferguson was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Ferguson reported a progress and asked for leave to sit again on Monday next.

Leave was given accordingly.

Mr. Macdonell of York, seconded by Mr. Washburn, moved for leave to bring in on Monday next a Bill to establish a fund for erecting suitable buildings and offices for transacting the public business of the Province, and the better securing the Archives thereof from accident by fire.

Accordingly leave was given.

Mr. Sherwood gave notice that he should move to-morrow that the House resolve itself into Committee to take into its consideration the Public Accounts of this Province.

Mr. Washburn, seconded by Mr. Weager, moved for leave to bring in on Monday next a Bill to establish a fund for the support of Public Schools in this Province.

Leave was granted him to bring in the same.

On motion of Mr. McCrae, seconded by Mr. Rogers, the House adjourned.

Saturday, 18th. February, 1804.

Prayers were read.

Read for the third time, the engrossed Bill entitled "An Act to amend the Law," which passed and was signed by Mr. Speaker.

Then was read for the third time the engrossed Bill entitled "An Act to alter certain parts of an Act passed in the forty second year of His Majesty's Reign entitled "An Act to provide for the administration of justice in the District of Newcastle," which was also passed and signed by Mr. Speaker.

Mr. Sherwood, seconded by Mr. Ferguson, moved that Mr. Rogers and Mr. Clench be Messengers to carry up the Bill entitled "An Act to amend the Law" to the Legislative Council, and also to carry up to the Legislative Council the Bill entitled "An Act to alter certain parts of an Act passed in the forty second year of His Majesty's Reign, entitled an Act to provide for the administration of justice in the District of Newcastle," and request their concurrence to each of the said Bills.

Ordered accordingly.

Read a second time, the Bill entitled "An Act to restrain male sheep or rams from running at large at certain seasons of the year in this Province."

On motion of Mr. McCrae, seconded by Mr. Swayzie, the House resolved itself into Committee to go into the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Swayzie was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Swayzie reported a progress and asked leave to sit again this day.

Leave was granted accordingly.

Read the first time, the Bill relative to the inspection of Flour, Pot and Pearl Ashes.

Mr. Washburn, seconded by Mr. Swayzie, moved that this Bill be read a second time on Monday next.

Mr. Clench, seconded by Capt. Elliott, moved in amendment that the words after the word "time" be expunged, and in lieu thereof be inserted "this day three months."

A division ensued, the names were ordered to be taken down, and are as follows.

YEAS.

Messrs. Elliott
Nelles
Sherwood
Rogers
Weager
Clench
Buell

NAYS.

Messrs. Sh'ff Macdonell
Ferguson
Macdonell (York)
Washburn
McCrae
Swayzie

Carried in the affirmative by a majority of one for the second reading of the said Bill this day three months.

Which was ordered accordingly.

Read for the second time the Bill entitled "An Act to authorize the Justices of the Peace to commit to gaol vagrant and itinerant persons for certain offences therein mentioned."

On motion of Mr. Macdonell of York, seconded by Mr. Clench, the House resolved itself into Committee to go into the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. McCrae was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. McCrae reported that the Committee had gone through the consideration of the said Bill, and requested leave to sit again in three months.

Which report was accepted, and leave was given accordingly.

Read for the first time, a Bill entitled "AnAct for granting to His Majesty a certain sum of money out of the funds applicable to the uses of this Province, to defray the expenses of mending and repairing the Public Highways and Roads, laying out and opening new Roads, and building bridges in the several Districts thereof."

Mr. Rogers, seconded by Mr. Macdonell of York, moved that the said Bill be read a second time on Monday next.

The same was ordered accordingly.

Then the House resolved itself into Committee to go into the further consideration of the Bill entitled "An Act to prevent Male Sheep or Rams running at large for the time therein mentioned."

Mr. Speaker left the Chair.

Mr. Swayzie was again called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Swayzie reported a progress and asked leave to sit again on Monday next.

Leave was accordingly granted.

The Petition of several Inhabitants of the Home District was, by permission given to Mr. Sheriff Macdonell, brought up and ordered to lie upon the Table.

On motion of Mr. Sherwood, seconded by Mr. Rogers, the House resolved itself into Committee on the Provincial Public Accounts.

Mr. Speaker left the Chair.

Mr. Clench was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Clench reported a progress, and requested leave to sit again on Monday next.

Leave was given accordingly.

On motion of Mr. Washburn, seconded by Mr. McCrae. the House adjourned until Monday next.

Monday, 20th. February, 1804.

Prayers were read.

Mr. Washburn moved, seconded by Mr. Swayzie, in amendment, that the words of the Day as relates to leave given him to bring in a Bill to establish a Fund for the support of Public Schools within this Province, be discharged, and that he may be allowed to substitute an address in lieu thereof.

Leave was accordingly granted.

Read the first time, a Bill for laying assessments on Billiard Tables throughout this Province.

Mr. Ferguson, seconded by Mr. Rogers, moved that this Bill be read a second time the first day of April next.

Mr. Washburn moved, seconded by Mr. Swayzie, in amendment, that the words "first day of April" be expunged, and in lieu thereof be inserted "to-morrow."

The same passed in the negative.

Then the main question was put, which was carried in the affirmative.

And the said Bill was ordered to be read a second time the first day of April next.

Then was read for the second time the Bill entitled "An Act for granting to His Majesty a certain sum of money for the amending and repairing Public Highways and Roads, and opening and laying out new Roads, and for the building and repairing bridges in the several Districts of this Province."

On motion of Mr. Ferguson, seconded by Mr. Macdonell of York, the House resolved itself into Committee to go into the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Ferguson was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Ferguson reported that the Committee had gone through the consideration of the said Bill, to which they made some amendments, which he was directed to report whenever the House should be pleased to receive the same.

The House then resolved that the said Report be now received and accepted.

On motion of Mr. Rogers, seconded by Mr. Clench, the said Bill was ordered to be engrossed and read a third time to-morrow.

Agreeable to the Order of the Day the House resolved itself into Committee to go into the consideration of a Bill entitled "An Act to restrain the custom of permitting Male Sheep or Rams to run at large."

Mr. Speaker left the Chair.

Mr. Swayzie was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Swayzie reported a progress and asked leave to sit again this day.

Which was accordingly granted.

A Message from the Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker:—

The Honorable the Legislative Council concur with the House of Assembly in the amendments made by the House of Assembly to a Bill entitled "An Act for the exemplary punishment of all and every person and persons who shall seduce, or attempt to seduce, or aid or assist, or attempt to aid or assist, any soldier to desert His Majesty's Service, or who shall harbour, conceal, receive or assist any deserter from such Service," as modified by the Committee of Conference on the said amendments.

And then he withdrew.

The House again resolved itself into Committee to go into the consideration of the Bill entitled "An Act to prevent Male Sheep or Rams from running at large between certain seasons of the year in this Province."

Mr. Speaker left the Chair.

Mr. Swayzie was again called to the chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Swayzie reported the said Bill as amended.

Which Report was accepted.

Then Mr. McCrae, seconded by Mr. Clench, moved that the said Bill be engrossed, and read a third time to-morrow.

And the same was ordered accordingly.

Agreeable to the Order of the Day, the House then resolved itself into Committee to take up the consideration of the Provincial Public Accounts.

Mr. Speaker left the Chair.

Mr. Clench was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Clench informed the House that the Committee had gone through the consideration of the Provincial Public Accounts, which he was directed to report to the House whenever it should be pleased to receive the same.

Then Mr. Macdonell of York moved, seconded by Mr. Nelles, that the Committee do now report.

On Mr. Speaker having put the question, a division thereupon took place, the names being called for were taken down, and were as follows.

YEAS.	NAYS.
MESSRS. CLENCH	MESSRS. SH'FF MACDONELL
MACDONELL (York)	ELLIOTT
WASHBURN	FERGUSON
ROGERS	THOMPSON
NELLES	SHERWOOD
	SWAYZIE
	BUELL
	WEAGER
	McCRAE

The same passed in the negative by a majority of four.

Then Mr. Clench read the Report in his place, which is as follows.

The Committee on the Provincial Public Accounts report that there appears to be in the hands of the Receiver General the sum of	£1372.	4.	9¼
That the Revenue arising from duties levied in Lower Canada for the last year is not yet accounted for, but their probable amount is	1250.	0.	0.
	£2622.	4.	9¼
From which is to be deducted, as appropriated by law, for the payment of salaries of the Officers of both Houses of Parliament and the contingencies thereof	1090.	0.	0.
	£1532.	4.	9¼

It appears that there are several sums of money due by several persons amounting to about £700.

(Signed) Ralph Clench,
Chairman.

Which Report was received and accepted.

Mr. Macdonell of York gave notice that he shall move to-morrow that this House do request a conference with the Legislative Council on the subject of a joint Address to His Majesty, relative to hemp.

Mr. Sherwood, seconded by Mr. Rogers, moved for leave to bring in a Bill to-morrow to make provisions for erecting Public Buildings.

Leave was accordingly given.

On motion of Mr. Swayzie, seconded by Mr. Weager, the House adjourned.

Tuesday, 21st. February, 1804.

Prayers were read.

Mr. Rogers, one of the Messengers named to carry up to the Legislative Council a Bill entitled "An Act to amend the Law," and also a Bill entitled "An Act to alter part of an Act passed in the forty second year of His Majesty's Reign, entitled "An Act to provide for the administration of Justice in the District of Newcastle," reported that they had carried up the said Bill, and did request their concurrence thereto.

Read for the third time, the engrossed Bill entitled "An Act for preventing Male Sheep or Rams from running at large during certain seasons of the year within this Province."

Mr. Ferguson moved, seconded by Mr. Weager, that the said Bill do pass, and that the title be "An Act to amend an Act passed in the forty third year of His Majesty's Reign, entitled "An Act to extend the provisions of an Act passed in the thirty fourth year of His Majesty's Reign, entitled "An Act to restrain the custom of permitting horned cattle, horses, sheep and swine to run at large."

Which was ordered accordingly.

Then Mr. Rogers moved, seconded by Mr. Nelles, for leave to bring in a Bill to-morrow to repeal certain parts, and amend other parts, of an Act passed in the fortieth year of His Majesty's Reign, entitled "An Act for the more equal representation of the Commons of this Province in Parliament, and for the better defining the qualifications of Electors."

Leave was accordingly granted.

Then was read a Petition from sundry persons in the Home District, which is as follows.

To the Honorable the Commons of Upper Canada
in Parliament assembled.

The petition of the undersigned freeholders of the Home District,

Humbly Sheweth:—

That the Fund by Law established for answering the Public Charges of the Home District aforesaid being insufficient with the most rigid economy to defray the same,

Your petitioners humbly pray that the yearly rate on the sums assessed in and for the said District be augmented for the term of three years, from one penny to three half-pence in the pound, and the said Freeholders have also to state that three Townships in the said Home District have paid no assessment for these two years past, owing to there being no Magistrates in the said Townships to authorize the Town Meeting, &c., by which means (unless through your aid) the said District will be deprived of that proportion which those Townships would contribute towards the Public Fund. Your Petitioners therefore hope you will take this into consideration, and they as in duty bound will ever pray.

(Signed) H. Allcock, C. J.
Wm. Jarvis, Chairman Q'r. S.
Wm. Allan.
John McGill.
D. Cameron.
W. Chewitt.

Mr. Sheriff Macdonell then moved, seconded by Capt. Elliott, for leave to bring in to-morrow a Bill entitled "An Act to extend for a limited time within the Home District the provisions of an Act passed in the forty third year of His Majesty's Reign, entitled "An Act for particularizing the property, real and personal, which, during the continuance thereof, shall be subject to assessments and rates, and fixing the several valuations at which such and every particular of such property, shall be rated and assessed."

Leave was accordingly granted.

Then Mr. Macdonell of York moved, seconded by Mr. Thompson, that this House do request a conference with the Honorable the Legislative Council, to deliberate in common upon the expediency of a joint address to the King's Most Excellent Majesty, humbly praying that His Majesty may graciously be pleased to take into His Royal and Tender consideration the advantages which the Parent Realm and this growing Colony would equally derive by the general culture of hemp in the latter, and the necessity of temporary aid and encouragement in accomplishing so desirable an object.

On the question being put the House divided thereupon, the names being

YEAS.	NAYS.
MESSRS. SH'FF MACDONELL	MESSRS. ROGERS
ELLIOTT	CLENCH
THOMPSON	FERGUSON
WASHBURN	BUELL
McCRAE	NELLES
SWAYZIE	
WEAGER	
MACDONELL (York)	

Carried in the affirmative by a majority of three, and ordered accordingly.

Then Mr. Macdonell of York, seconded by Mr. Swayzie, moved that Mr. Sheriff Macdonell and Capt. Elliott do carry the following message to the Honorable the Legislative Council.

The Commons do request a conference with this Honorable House to deliberate in common upon the expediency of a joint Address to the King's Most Excellent Majesty, humbly praying that His Royal and tender consideration be given to the advantages which the Parent Realm and this growing Colony would equally derive by the general culture of Hemp in the latter, and the necessity for temporary aid and encouragement in accomplishing so desirable an object.

Commons House of Assembly (Signed) R. Beasley
Tuesday, 21st. February, 1804. Speaker.

Which was ordered accordingly.

Read for the third time, the engrossed Bill for repairing and opening Public Roads throughout this Province.

Mr. Ferguson then moved, seconded by Mr. Macdonell of York, that the said Bill do now pass, and that the title be "An Act for granting to His Majesty a certain sum of money out of the funds applicable to the uses of this Province, to defray the expenses of amending and repairing the Public Highways and Roads, and building Bridges in the several Districts thereof."

Ordered accordingly.

The said Bill then passed and was signed by Mr. Speaker.

Mr. Macdonell of York, seconded by Mr. Nelles, moved that Mr. Ferguson and Mr. Weager do carry up to the Legislative Council the Bill entitled "An Act to amend an Act passed in the forty third year of His Majesty's Reign, entitled "An Act to extend the provisions of an Act passed in the thirty fourth year of His Majesty's Reign, entitled "An Act to restrain the custom of permitting Horned Cattle, Horses, Sheep and Swine to run at large."

And also to carry up to the Legislature the Bill entitled "An Act for granting to His Majesty a certain sum of money out of the funds applicable to the uses of this Province, to defray the expenses of amending and repairing the Public Highways and Roads, laying out and opening new Roads, and building Bridges in the several Districts thereof," and to request their concurrence in passing the said two Bills.

Which was ordered accordingly.

Mr. Sherwood moved, seconded by Mr. Macdonell of York, that so much of the Order of the Day be discharged as relates to a Bill for Public Buildings, and that leave be given him to bring in the said Bill to-morrow.

Ordered accordingly.

Mr. Ferguson, one of the messengers named to carry up to the Honorable the Legislative Council the Bill entitled "An Act to amend an Act passed in the forty third year of His Majesty's Reign, entitled "An Act to extend the provisions of an Act passed in the thirty fourth year of His Majesty's Reign, entitled "An Act to restrain the custom of permitting Horned Cattle, Horses, Sheep and Swine to run at large," and also a Bill entitled "An Act for granting to His Majesty a certain sum of money out of the funds applicable to the uses of this Province, to defray the expenses of amending and repairing the Public Highways and Roads, laying out and opening new Roads, and building Bridges in the several Districts thereof," reported that they did carry up the said Bills, and requested their concurrence thereto.

A Message from the Legislative Council, by Mr. Burns, Master in Chancery.

Mr. Speaker,

The Honorable the Legislative Council have concurred with the House of Assembly in passing a Bill entitled "An Act to provide for the compiling and printing the Statutes of all the several Parliaments of this Province, and to repeal certain parts of an Act passed in the forty first year of His Majesty's Reign relative to printing Journals.

And then he withdrew.

On motion of Mr. Washburn, seconded by Mr. Ferguson, the House adjourned.

Wednesday, 22nd. February, 1804.

Prayers were read.

Mr. Ferguson, seconded by Mr. Rogers, moved that the names of the Members of this House be called over to-morrow at eleven o'clock.

Which was ordered accordingly.

Read for the first time, a Bill entitled "An Act to repeal certain parts of an Act passed in the fortieth year of His Majesty's Reign, entitled "An Act for the more equal representation of the Commons of this Province, and for the better defining the qualification of electors."

Then a Bill entitled "An Act to increase the Assessment within the Home District" was read for the first time.

Mr. Sheriff Macdonell, seconded by Capt. Elliott, moved that the said Bill be read a second time to-morrow.

Mr. Sherwood moved, seconded by Mr. Clench, in amendment to the said motion, that after the word "time" the remainder be expunged, and in lieu thereof the words "three months" be inserted.

Carried in the affirmative, and ordered accordingly.

Mr. Rogers moved, seconded by Mr. Clench, for leave to bring in to-morrow a Bill to repeal the second clause of an Act passed in the fortieth year of His Majesty's Reign, entitled "An Act for the more equal representation of the Commons of this Province in Parliament, and for the better defining the qualification of Electors."

On the question being put, a division thereupon took place, the names being called for were taken down, and are as follows.

YEAS.	NAYS.
MESSRS. THOMPSON	MESSRS. SH'FF MACDONELL
ELLIOTT	SOL'R GENERAL
NELLES	SHERWOOD
CLENCH	WEAGER
SWAYZIE	FERGUSON
ROGERS	BUELL
MACDONELL (York)	
McCRAE	
WASHBURN	

The same was carried in the affirmative by a majority of three, and leave given accordingly.

Mr. Sheriff Macdonell, one of the Messengers appointed to carry up to the Legislative Council a Message requesting a conference relative to the culture of Hemp, reported that they had carried up the said Message.

Mr. Ferguson, seconded by Mr. Sherwood, moved that the House do now resolve itself into Committee to take into consideration the Hemp Bill.

Which passed in the negative.

Mr. Sherwood moved, seconded by Mr. Ferguson, that so much of the Order of the Day be discharged as relates to bringing in a Bill relative to Public Buildings, and that leave be given him to bring it in to-morrow.

Ordered accordingly.

A Message from the Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

The Honorable the Legislative Council have agreed that a Committee of that House shall meet a Committee of the House of Assembly in conference on the subject of the culture of Hemp, and they are now ready to receive the House of Assembly, upon such conference, in the Council Chamber.

And then he withdrew.

Mr. Sherwood moved, seconded by Mr. Macdonell of York, for leave to bring in a Bill to-morrow for the better promulgation of the laws of this Province.

Leave was granted.

Mr. Sheriff Macdonell, seconded by Mr. Sherwood, moved that Messrs. Macdonell of York, Solicitor General, Sherwood, McCrae, Swayzie, Elliott, Washburn and Ferguson be a Committee to confer with the Committee of the Legislative Council on the subject of cultivating and exporting of Hemp.

Ordered accordingly.

Members present:

MR. SPEAKER
MESSRS. THOMPSON
CLENCH
SH'FF MACDONELL
MESSRS. NELLES
ROGERS
WEAGER & BUELL.

At two o'clock in the afternoon Mr. Speaker adjourned the House for want of a quorum.

Thursday, 23rd. February, 1804.

Prayers were read.

The Committee named by this House to confer with the Committee of the Honorable Legislative Council on the subject of encouraging the culture and exportation of Hemp, reported that it is the opinion of the Committee of both Houses that it is highly expedient to address the King's most Excellent Majesty, praying aid and encouragement to the culture of Hemp in this Province, but that the framing of this address be postponed until it is seen what can be done from the funds of the Province to forward an object so very essential to its prosperity.

Agreeable to the Order of the Day the House was called over, and several of the members appeared, and the names of such as made default to appear were taken down, and are as follows.

MESSRS. MACDONELL (Glengarry)
McKEE &
D. W. SMITH (in England)

Read for the first time, a Bill entitled "An Act to repeal the second clause of an Act passed in the fortieth year of His Majesty's Reign, entitled "An Act for the more equal representation of the Commons of this Province in Parliament, and for the better defining the qualification of Electors."

Mr. Rogers, seconded by Mr. Nelles, moved that the said Bill be read a second time to-morrow.

Ordered accordingly.

Read the Petition of Isaac Swayzie, Esquire, which is as follows:

To the Honorable the Members of the House of Assembly for the Province of Upper Canada in Legislature assembled.

The Petition of Isaac Swayzie, Esq., of Niagara,

Humbly Sheweth,

That your Petitioner was employed in the month of August, 1801, by the Honorable David William Smith, one of the Commissioners appointed for encouraging the culture and exportation of Hemp, to purchase Hemp seed to be distributed throughout this Province. Your Petitioner had the sum of two hundred pounds advanced to him, as will appear in account number 10, by which it will also appear that your Petitioner expended the sum of two hundred and forty five pounds, nine shillings and eight pence farthing; consequently has left forty five pounds, nine shillings and eight pence farthing. Therefore from the well known liberality of your Honorable House he humbly prays that this sum may be made up to him out of the unappropriated moneys now in the Public Treasury, your Petitioner trusting that on an investigation of his accounts they will appear reasonable and right, and that there is a balance of forty five pounds, nine shillings and eight pence farthing as aforesaid due him. Your Petitioner begs also to state that no other person offered or came forward at the time to assist in procuring the seed, as is well known to the Commissioners, and your Petitioner as in duty bound will ever pray.

(Signed) Isaac Swayzie.

Then was read a petition from the Inhabitants of Yonge Street, which is as follows:

The Petition of the Landholders adjoining the King's highway from the Town of York to the Landing on Holland's River, known by the name of Toronto and Yonge Street,

Humbly Sheweth,

That we, your petitioners, beg leave to represent to the Honorable the Legislature of Upper Canada that we conceive it would be highly beneficial to the resident and non-resident landholders on said street, as well as to the inhabitants of the Town and vicinity of York, that said street should be put into such order as to promote an easier communication between the farmers settled on the said street and the Town of York. We, being satisfied that so desirable a purpose cannot be obtained without the aid of Parliament, pray that a Statute agreeable to the annexed plan may be passed in this present Session to compel all persons being owners of land adjoining said street, from the Town of York to the Landing on Holland's River, to put the said street into such state and condition as may be judged proper by three persons to be appointed by a majority of said landholders above mentioned, the above said three persons to be appointed annually, and to be called to an account by the Court of King's Bench if complained of by a majority of said landholders. And your Petitioners as in duty bound will ever pray.

(Signed) Richard Lippencot
Le Comp'te De Chalus
William Willcocks
and fifty others,
Freeholders of Yonge Street.

Read for the first time, the Bill entitled "An Act to promulgate the Provincial Statutes and also to repeal so much of an Act passed in the forty first year of the Reign of His present Majesty as relates to printing the Journals."

On motion of Mr. Sherwood, seconded by Mr. Ferguson, the said Bill was read for the second time.

And then on motion of Mr. Ferguson, seconded by Mr. Sheriff Macdonell, the House resolved itself into Committee to go into consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Thompson was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Thompson reported the said Bill without amendment.

Mr. Clench, seconded by Mr. Rogers, moved that the Report be not accepted.

A division thereupon took place, the names were taken down, and are as follows:

YEAS.	NAYS.
MESSRS. ROGERS	MESSRS. SWAYZIE
CLENCH	SH'FF MACDONELL
	ELLIOTT
	SHERWOOD
	SOL'R GENERAL
	NELLES
	WASHBURN
	MACDONELL (York)
	McCRAE
	WEAGER
	FERGUSON
	THOMPSON
	BUELL

The same was carried in the negative by a majority of eleven, and the report was then received.

Mr. Sheriff Macdonell moved, seconded by Captain Elliott, that the said Bill be engrossed and read a third time this day.

Ordered accordingly.

On motion of Mr. Sherwood, seconded by Mr. Nelles, the engrossed Bill entitled "An Act to promulgate the Statutes" was read a third time, which passed and was signed by Mr. Speaker.

Mr. Sherwood, seconded by Mr. Swayzie, moved that Mr. Solicitor General and Captain Elliott do carry the said Bill to the Legislative Council and request their concurrence thereto.

Ordered accordingly.

Mr. Solicitor General, one of the Messengers named to carry the Bill entitled "An Act to promulgate the Statutes," reported that they had carried up the said Bill to the Legislative Council, and requested their concurrence thereto.

Mr. Macdonell of York, seconded by Mr. Rogers, moved for leave to bring in a Bill to-morrow for keeping in a better state of repair the Roads leading from the Town of York to Lake Simcoe, commonly called Yonge Street.

Leave was given accordingly.

The House resolved itself into Committee on the Bill entitled "An Act to establish an institution for the purchase and exportation of Hemp, the growth of this Province."

Mr. Speaker left the Chair.

Mr. Ferguson was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Ferguson reported a progress, and asked leave to sit again this day.

Leave accordingly was granted.

A Message from the Legislative Council, by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable the Legislative Council to inform this House that they have passed the Bill entitled "An Act to explain and amend an Act passed in the forty third year of His Majesty's Reign, entitled "An Act for the better securing to His Majesty, His Heirs and Successors, the due collection and receipt of certain duties therein mentioned."

And then he withdrew.

The House again resolved itself into Committee to go into the further consideration of the Bill relative to the purchasing and exporting of Hemp.

Mr. Speaker left the Chair.

Mr. Ferguson was again called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Ferguson reported a progress, and requested leave to sit again to-morrow.

Leave was accordingly granted.

Mr. Ferguson moved, seconded by Mr. Sherwood, that the rule of this House requiring a day's notice to be given previous to moving any new question be dispensed with, and that leave be given him to bring in a Bill this day for laying a duty on Stills.

Ordered accordingly, and leave was given.

Which Bill he read in his place and handed it to the Clerk at the Table, where it was again read for the first time.

On motion of Mr. Ferguson, seconded by Mr. Weager, the said Bill was read a second time.

Then, on motion of Mr. Ferguson, seconded by Mr. Sherwood, the House resolved itself into Committee on the said Bill.

Mr. Speaker left the Chair.

Mr. Sheriff Macdonell was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Sheriff Macdonell reported the said Bill without any amendment.

Which Report was accepted.

Mr. Ferguson then moved, seconded by Mr. Nelles, that the said Bill be engrossed and read a third time this day.

Read a third time, the Bill entitled "An Act to explain and amend an Act passed in the forty third year of His Majesty's Reign, entitled "An Act for the better securing to His Majesty, his Heirs and Successors the due collection and receipt of certain duties therein mentioned."

Mr. Ferguson, seconded by Mr. Sherwood, moved that Mr. Thompson and Mr. Swayzie be Messengers to carry up the said Bill to the Legislative Council, and to request their concurrence thereto.

Which was ordered accordingly.

Mr. Sherwood, seconded by Mr. Ferguson, moved for leave to bring in a Bill to-morrow, to provide for purchasing the Statute Laws of England for the public use of this Province.

Leave was accordingly given.

Mr. Washburn, seconded by Mr. Rogers, moved for leave to bring in a Bill to repeal an Act passed in the thirty fourth year of His Majesty's Reign, entitled "An Act to lay a duty on Stills."

Mr. Ferguson moved, seconded by Mr. Sherwood, in amendment, that after the word "Stills" add "on the first day of April next."

On the question being put, a division took place, the names were taken down, and are as follows:

YEAS.	NAYS.
MESSRS. FERGUSON	MESSRS. CLENCH
SHERWOOD	ROGERS
MACDONELL (York)	THOMPSON
SHERIFF MACDONELL	WASHBURN
SOL'R GENERAL	
NELLES	
SWAYZIE	
ELLIOTT	
WEAGER	
McCRAE	
BUELL	

Carried in the affirmative by a majority of seven.

On motion of Captain Elliott, seconded by Mr. Weager, the House adjourned.

Friday, 24th. February, 1804.

Prayers were read.

Mr. Ferguson, seconded by Mr. Thompson, moved for leave to bring in a Bill to-morrow to regulate and establish the Fees to be taken by the Clerks of the Peace throughout this Province.

Leave was accordingly granted.

Read for the second time, a Bill entitled "An Act to repeal part of an Act passed in the thirty fourth year of His Majesty's Reign, entitled "An Act for the more equal representation of the Commons of this Province, and for the better defining the qualifications of electors."

On motion of Mr. Rogers, seconded by Mr. Nelles, the House resolved itself into Committee to go into the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. McCrae was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. McCrae reported that the Committee had gone through the consideration of the said Bill without any amendment, which he was directed to report whenever the House shall be pleased to receive the same.

Mr. Sherwood, seconded by Mr. Sheriff Macdonell, then moved that the said Report be not accepted.

On the question being put a division ensued, the names being called for were taken down, and were as follows.

YEAS.

MESSRS. SH'FF MACDONELL
ELLIOTT
FERGUSON
BUELL
WEAGER
SHERWOOD

NAYS.

MESSRS. NELLES
CLENCH
WASHBURN
ROGERS
McCRAE
MACDONELL (York)
SWAYZIE
THOMPSON

The same passed in the negative by a majority of two.

The Report was then received and accepted.

Mr. Rogers then moved, seconded by Mr. Thompson, that the Bill relative to the qualification of Electors be engrossed and read a third time to-morrow.

Which was ordered accordingly.

Then was read for the first time a Bill entitled "An Act for granting to His Majesty a certain sum of money for the purpose of purchasing the Statute Laws of England.

On motion of Mr. Macdonell of York, seconded by Mr. Sherwood, the House resolved that the said Bill be read a second time to-morrow.

Agreeable to leave given, Mr. Macdonell of York brought in the Bill entitled "An Act for the keeping in better repair the highway leading from the Town of York to Lake Simcoe," which was read for the first time.

On motion of Mr. Rogers, seconded by Mr. Macdonell of York, it was ordered that the said Bill be read a second time on Monday next.

Then, on motion of Mr. Macdonell of York, seconded by Captain Elliott, the House resolved itself into Committee to go into the further consideration of the Bill entitled "An Act to encourage the cultivation in, and exportation of, Hemp from this Province."

Mr. Speaker left the Chair.

Mr. Ferguson was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Ferguson reported that the Committee had gone through the consideration of the said Bill, to which they had made some amendments, which he was directed to report whenever the House should be pleased to receive the same.

Then Mr. Clench moved, seconded by Mr. Rogers, that the said Report be not accepted.

On the question being put a division thereupon took place, the names being called for they were taken down, and are as follows.

YEAS.	NAYS.
MESSRS. NELLES	MESSRS. SH'FF MACDONELL
ROGERS	ELLIOTT
CLENCH	SHERWOOD
BUELL	THOMPSON
FERGUSON	MACDONELL (York)
	McCRAE
	WEAGER
	SWAYZIE

The same passed in the negative by a majority of four, and the Report was accordingly received and accepted.

Mr. Macdonell of York, seconded by Capt. Elliott, moved that the Bill entitled "An Act for the relief of such cultivators and exporters of Hemp" be engrossed and read a third time this day.

Ordered accordingly.

Mr. Thompson, one of the Messengers named to carry up to the Honorable the Legislative Council the Bill entitled "An Act to explain and amend an Act passed in the forty third year of His Majesty's Reign, entitled "An Act for the better securing to His Majesty, His Heirs and Successors, the due collection and receipt of certain duties therein mentioned," reported that they carried up the said Bill, and did request their concurrence thereto.

Mr. Clench, seconded by Capt. Elliott, moved for leave to bring in to-morrow a Bill to authorize the Governor, Lieut. Governor, or person administering the Government, to pay to Isaac Swayzie, Esquire, out of the unappropriated moneys now in the Provincial Treasury, the sum of forty five pounds nine shillings and eight pence farthing, due to said Isaac Swayzie, Esquire, on Hemp seed furnished by him for the use of this Province.

Leave was accordingly given.

Then was read for the third time the engrossed Bill entitled "An Act for the relief of such cultivators of Hemp as are affected by the present want of a market for the same within this Province."

On the question being put for the said Bill passing, a division thereupon took place, the names being called for they were taken down, and are as follows.

YEAS.	NAYS.
MESSRS. SH'FF MACDONELL	MESSRS. NELLES
ELLIOTT	ROGERS
SHERWOOD	CLENCH
MACDONELL (York)	BUELL
WASHBURN	FERGUSON
McCRAE	
WEAGER	
SWAYZIE	

Carried in the affirmative by a majority of three, which Bill then passed and was signed by Mr. Speaker.

Mr. Ferguson moved, seconded by Mr. Rogers, that Messrs. Washburn and McCrae be Messengers to take up to the Legislative Council the Bill entitled "An

Act for the relief of such cultivators of Hemp as are affected by the present want of a market for the same within this Province."

Which was ordered accordingly.

Mr. Washburn, seconded by Mr. Thompson, moved that this House do resolve itself into Committee to-morrow to take the circumstances he has alluded to into consideration, meaning, to extend the Commerce of this Province.

A division thereupon took place, the names were ordered to be taken down, and are as follows.

YEAS.	NAYS.
MESSRS. SHERWOOD	MESSRS. ELLIOTT
WASHBURN	SH'FF MACDONELL
CLENCH	ROGERS
THOMPSON	FERGUSON
SWAYZIE	BUELL
WEAGER	MACDONELL (York)
	McCRAE

The same passed in the negative by a majority of one.

Then Mr. Thompson, seconded by Mr. Rogers, moved that this House do now adjourn.

The same passed in the negative.

Mr. McCrae, one of the Messengers named to carry up to the Legislative Council the Bill entitled "An Act to encourage the cultivation in, and exportation of, Hemp from this Province," reported that they had carried up the said Bill, and did request their concurrence thereto.

Then Mr. Macdonell of York, seconded by Mr. Sherwood, moved that the Rule of this House which requires a day's previous notice of any motion be dispensed with, and that he have leave to bring in a Bill this day to provide for the erecting of Public Buildings.

The same was ordered, and leave was accordingly granted.

Then was read for the first time a Bill to provide for the erecting of Public Buildings in this Province.

Then, on motion of Mr. Sherwood, seconded by Mr. Sh'ff Macdonell,

Ordered, that the said Bill be read a second time to-morrow.

On motion of Capt. Elliott, seconded by Mr. Weager, the House adjourned.

Saturday, 25th. February, 1804.

Prayers were read.

Read for the first time, the Bill to regulate the Fees to be taken by the Clerks of the Peace in each and every District within this Province.

Mr. Ferguson then moved, seconded by Mr. Rogers, that the said Bill be read a second time on Monday next.

Which was ordered accordingly.

Agreeable to the Order of the Day was read for the third time the engrossed Bill entitled "An Act for the more equal representation of the Commons in Parliament, and for the better defining the qualification of Electors."

On the question being put for the said Bill passing, a division thereupon took place, the names being called for they were taken down and are as follows.

YEAS.

MESSRS. WASHBURN
ROGERS
NELLES
CLENCH
SWAYZIE
MACDONELL (York)

NAYS.

MESSRS. SH'FF MACDONELL
FERGUSON
SOLICITOR GENERAL
SHERWOOD
BUELL
McCRAE
WEAGER

The same passed in the negative by a majority of one.

Read for the second time, the Bill for granting to His Majesty a certain sum of money for the purpose of purchasing the Statute Laws of England.

On motion of Mr. Macdonell of York, seconded by Mr. Sherwood, the House resolved itself into Committee on the said Bill.

Mr. Speaker left the Chair.

Mr. Solicitor General was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Solicitor General reported that the Committee had gone through the consideration of the said Bill, which he was directed to report whenever the House should be pleased to receive the same.

Mr. Clench then moved, seconded by Mr. Nelles, that the Report be not accepted.

A division thereupon took place, the names being called for they were taken down, and are as follows.

YEAS.

MESSRS. WASHBURN
CLENCH
NELLES
SWAYZIE
BUELL

NAYS.

MESSRS. FERGUSON
SHERIFF MACDONELL
ELLIOTT
SOL'R GENERAL
SHERWOOD
MACDONELL (York)
ROGERS
THOMPSON
McCRAE

The same passed in the negative by a majority of four.

The Report was then received and accepted, and the said Bill ordered to be engrossed, and read a third time on Monday next.

Mr. Clench moved, seconded by Mr. Rogers, That the Order of the Day which gave him leave to bring in a Bill for the relief of Isaac Swayzie, Esquire, be discharged.

Ordered accordingly.

Mr. Sheriff Macdonell, seconded by Mr. Ferguson, moved that the Bill entitled "An Act to repeal part of an Act passed in the fortieth year of His Majesty's

Reign, entitled "An Act for the more equal representation of the Commons of this Province in Parliament, and for the better defining the qualifications of Electors," be read for the third time on this day three months.

A division thereupon took place, the names were called for and taken down as follows.

YEAS.	NAYS.
MESSRS. FERGUSON	MESSRS. MACDONELL (York)
SH'FF MACDONELL	WASHBURN
ELLIOTT	THOMPSON
SOLICITOR GEN.	ROGERS
SHERWOOD	NELLES
BUELL	CLENCH
McCRAE	SWAYZIE
WEAGER	

The same was carried in the affirmative by a majority of one, and ordered accordingly.

Read a second time, an Act for erecting Public Buildings in this Province.

On motion of Mr. Macdonell of York, seconded by Mr. Sherwood, the House resolved itself into Committee to go into the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Weager was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Weager reported that the Committee had gone through the consideration of the said Bill without any amendment.

Which Report was accepted.

Then Mr. Macdonell of York moved, seconded by Mr. Rogers, that the said Bill be engrossed and read a third time on Monday next.

Which was ordered accordingly.

Mr. Macdonell of York moved, seconded by Mr. Sherwood, for leave to bring in a Bill for granting to His Majesty certain sums of money to make good the like sums advanced by His Majesty through the Lieutenant Governor during the course of the last year in discharge of certain contingent expenditures of the Provincial Parliament and in support of the administration of Public Justice.

Leave was accordingly given.

Then Mr. Sherwood moved, seconded by Mr. Macdonell of York, that permission be given William Buell, Esquire, to return home on Monday next.

Leave of absence was accordingly given Mr. Buell.

On motion of Captain Elliott, seconded by Mr. Sheriff Macdonell, the House adjourned until Monday next.

Monday, 27th. February, 1804.

Prayers were read.

Read for the second time, a Bill to regulate the Fees to be taken by the Clerks of the Peace in the several Districts of this Province.

On motion of Mr. Ferguson, seconded by Mr. Rogers, the House resolved itself into Committee on the said Bill.

Mr. Speaker left the Chair.

Mr. Washburn was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Washburn reported a progress, and asked for leave to sit again to-morrow.

Leave was accordingly granted.

Read for the third time, the engrossed Bill for erecting Public Buildings in this Province.

A Message from the Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable the Legislative Council to inform this House that they have passed a Bill sent up to them intituled "An Act for granting to His Majesty a certain sum of money out of the funds applicable to the uses of this Province, to defray the expense of amending and repairing the Public Highways and Roads, laying out and opening new Roads, and building Bridges in the several Districts thereof," without any amendment, and also to inform this Honorable House that they have passed a Bill entitled "An Act for the better securing the Province against all seditious attempts or designs to disturb the tranquility of this Province," to which they request the concurrence of this House.

And then withdrew.

On motion of Mr. Sherwood, seconded by Mr. Nelles, the said Bill was read for the first time.

Then Mr. Ferguson moved, seconded by Mr. Rogers, that the said Bill be read a second time on Wednesday next.

Ordered accordingly.

Mr. Macdonell of York, seconded by Mr. Sherwood, moved that the title of the Bill for erecting Public Buildings be "An Act appropriating a certain sum of money annually to defray the expenses of erecting certain Public Buildings to and for the uses of this Province."

Which was ordered accordingly, and the said Bill, passed and was signed by Mr. Speaker.

Agreeable to the Order of the Day was read for the third time the engrossed Bill for granting to His Majesty a certain sum of money for the purpose of purchasing the Statute Laws of England, which then passed, and was signed by Mr. Speaker.

Mr. Sherwood, seconded by Mr. Sheriff Macdonell, moved that Mr. Macdonell of York and Mr. McCrae be Messengers to carry the said two Bills up to the Honorable the Legislative Council, and request their concurrence in passing the same.

Which was ordered accordingly.

Mr. Macdonell of York, one of the Messengers named to carry up to the Legislative Council the Bill entitled "An Act appropriating a certain sum of money annually to defray the expenses of erecting certain Public Buildings to and for the uses of this Province," and also the Bill entitled "An Act for granting to His Majesty a certain sum of money for the purpose therein mentioned"; reported that they had carried up the same and did request their concurrence thereto.

Read for the first time, a Bill entitled "An Act for granting to His Majesty certain sums of money to make good the like sums advanced by His Majesty through His Excellency the Lieutenant Governor during the course of last year, in discharge of certain contingent expenditures of the Provincial Parliament, and in support of the Administration of Public Justice.

A Message from the Legislative Council, by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Legislative Council to inform this Honorable House that they have concurred in passing the Bill " An Act to explain and amend an Act passed in the forty third year of His Majesty's Reign, entitled " An Act for the securing to His Majesty, his Heirs and Successors, the collection and receipt of certain duties therein mentioned," without any amendment. And also a Bill entitled " An Act to promulgate the Provincial Statutes, and also to repeal so much of an Act passed in the forty first year of the Reign of His present Majesty as relates to printing the Journals," without any amendment.

And then he withdrew.

Mr. Sherwood moved, seconded by Mr. Ferguson, that so much of the Rule of this House as requires one day's previous notice be dispensed with, and that the Bill entitled " An Act to apply a certain sum of money " be now read a second time.

Which was ordered accordingly, and the said Bill was then read for the second time.

On motion of Mr. Sherwood, seconded by Captain Elliott, the House resolved itself into Committee to go into the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Ferguson was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Ferguson reported that the Committee had gone through the consideration of the said Bill without any amendment.

Which report was accepted.

Mr. Ferguson then moved, seconded by Mr. Thompson, that this House do present an Address to His Excellency the Lieutenant Governor, praying him to advance the sum of twenty five pounds to enable the Clerk of this House to pay his Copying Clerks.

Which was ordered accordingly.

Mr. Macdonell of York moved, seconded by Captain Elliott, that Messrs. Ferguson and Sherwood be a Committee to draft an Address to His Excellency the Lieutenant Governor praying that he may be pleased to advance twenty five pounds to the Clerk of this House towards paying Copying Clerks.

Which was ordered accordingly.

Then Mr. Ferguson informed the House that the Committee had drafted an Address to His Excellency the Lieutenant Governor, which he was ready to submit to the House whenever they shall be pleased to receive the same.

The House then resolved that the said Address be now read, and Mr. Ferguson then read the same in his place, which he delivered in at the Table, and the same was again read by the Clerk, and is as follows:

To His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada and Lieutenant General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada, &c. &c.

We, His Majesty's most dutiful and loyal subjects, the Commons of Upper Canada in Parliament assembled, do most humbly pray that Your Excellency will be pleased to order an advance of twenty five pounds currency to be made to the Clerk of this House, on account, towards defraying the expenses of Copying Clerks during present Session: and that the same be charged to the fund by Law appropriated for that purpose.

Commons House of Assembly,
Monday, 27th. Feb'y, 1804.

On motion of Mr. Ferguson, seconded by Mr. Swayzie, the said Address was ordered to be engrossed.

Read a second time, the Bill for repairing and amending Yonge Street Road leading to Lake Simcoe.

On motion of Mr. Macdonell of York, seconded by Mr. Rogers, the House resolved itself into Committee to go into consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Rogers was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Rogers reported that the Committee had postponed the further consideration of the said Bill for three months.

Then Mr. Macdonell of York moved, seconded by Mr. Washburn, that the Report be not accepted.

A division thereupon ensued; the names being called for, they were taken down, and are as follows:

YEAS.	NAYS.
MESSRS. MACDONELL (York)	MESSRS. FERGUSON
NELLES	SOL'R GENERAL
WASHBURN	SHERWOOD
ROGERS	THOMPSON
SWAYZIE	CLENCH
	McCRAE
	WEAGER

The same passed in the negative by a majority of two. The Report was then accepted and ordered accordingly. On motion of Mr. Sherwood, seconded by Captain Elliott, the House adjourned.

Tuesday, 28th. February, 1804.

Prayers were read.

Mr. Thompson moved, seconded by Mr. Ferguson, that Mr. Washburn and Mr. Weager be a Committee to carry up the Address voted yesterday by this House.

Which was ordered accordingly.

Mr. Macdonell of York, by permission of the House brought up the petition of William Jarvis, Esquire, Secretary of the Province.

Then Mr. Rogers moved, seconded by Mr. Macdonell of York, that the rule requiring that a Petition brought up do lie two days on the Table before it is read be dispensed with this day, and that the Petition of William Jarvis, Esquire, be now read.

Ordered accordingly, and the said Petition was then read, and is as follows.

To the Honorable House of Assembly of the Province of Upper Canada in Parliament assembled.

The Petition of William Jarvis, Esquire, Secretary of the said Province,

Most Humbly Sheweth,

That it being found expedient by the Executive Government of this Province to order all deeds for the Waste Lands of the Crown to be made out on parchment has subjected Your Petitioner to a heavy and serious additional expense in carrying on the business of his office, the emoluments of which will not by any means defray the expenses necessarily incurred or enable your Petitioner to lay out such large sums of money, which he is, and has been, unavoidably compelled to disburse for the purpose of carrying on the public business of the Province without the most material injury to himself and family.

Your Petitioner is ready to give the most satisfactory proof to the Honorable House of Assembly in Parliament assembled of the heavy and burthensome grievance under which he labours, and prays for such relief as the nature and necessity of his case will be made appear by a brief statement at the Bar of the Honorable House, or by any other means Your Honors in your wisdom may deem expedient to adopt for the investigation of the same.

And in duty bound will ever pray.

York, 27th. February, 1804 (Signed) William Jarvis, Secretary.

Mr. Macdonell of York moved, seconded by Mr. Swayzie, That the House do now resolve itself into Committee to take the petition of William Jarvis, Esquire, into consideration, with power to send for persons and papers.

The House accordingly resolved itself into Committee.

Mr. Speaker left the Chair.

Mr. Nelles was called to the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Nelles reported a progress, and asked leave to sit again this day.

Leave was accordingly granted.

A Message from the Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,—

I am commanded by the Honorable the Legislative Council to inform this House that they have concurred in passing an Act entitled "An Act appropriating a certain sum of money annually to defray the expenses of erecting certain Public Buildings, to and for the uses of this Province," without any amendment; and also an Act entitled "An Act for granting to His Majesty a certain sum of money for the purposes therein mentioned," to which they had made an amendment, and do request the concurrence of this House thereunto.

And then withdrew.

Mr. Macdonell of York then moved, seconded by Mr. Clench, that the amendment made by the Legislative Council in and to this Bill be not read.

Mr. Solicitor General moved, seconded by Mr. Ferguson, in amendment to Mr. Macdonell's, of York, motion, that the word "not" be expunged.

A division thereupon took place; the names being called for were taken down and are as follows.

YEAS.

MESSRS. FERGUSON
ELLIOTT
SHERWOOD
SOL'R GENERAL
ROGERS
WEAGER
THOMPSON
WASHBURN

NAYS.

MESSRS. MACDONELL (York)
CLENCH
SWAYZIE
McCRAE
NELLES

The same was carried in the affirmative by a majority of three.

Then the said Bill as amended was read.

Then Mr. Solicitor General moved, seconded by Mr. Sherwood, that as the amendment to the Bill now before the House is a matter of form only, and not substance, that this House do concur in the same.

The House accordingly concurred in the said amendment.

Mr. Ferguson moved, seconded by Capt. Elliott, that Mr. Rogers and Mr. Thompson be Messengers to carry to the Legislative Council the following message.

Mr. Speaker,—

The House of Assembly have agreed to the amendments made by the Honorable the Legislative Council to a Bill entitled "An Act for granting to His Majesty a certain sum of money for the purposes therein mentioned."

Which was ordered accordingly.

Mr. Rogers, one of the messengers named to carry up to the Honorable Legislative Council a message informing them that this House had concurred in the amendments made to a Bill entitled "An Act for granting to His Majesty a certain sum of money for the purposes therein mentioned," reported that they had carried up the said Message.

Mr. Washburn, one of the Messengers named by this House to carry an Address to His Excellency the Lieutenant Governor, reported that they had carried up the same.

To which His Excellency was pleased to return the following answer.

Gentlemen:—

I cheerfully accede to the request contained in your address for an advance of twenty five pounds to your Clerk, to enable him to defray the expense of copying Clerks during the present session and I shall accordingly issue my Warrant upon the Receiver General for the payment of that sum.

The House again resolved itself into Committee to go into the further consideration of Mr. Secretary Jarvis' Petition.

Mr. Speaker left the Chair.

Mr. Nelles again took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Nelles reported a progress, and asked leave to sit again.

Leave was accordingly granted.

On motion of Mr. Sherwood, seconded by Mr. Ferguson, the House resolved itself into Committee to go into the consideration of an Act for applying a certain sum of money therein mentioned to make good certain moneys issued and advanced by His Majesty, through the Lieutenant Governor in pursuance of an Address from this House.

Mr. Speaker left the Chair.

Mr. Ferguson was called to the chair of the Committee.

Mr, Speaker resumed the Chair.

Mr. Ferguson reported that the Committee had gone through the consideration of the said Bill, to which they had made some amendments, which he was directed to report to the House whenever it should be pleased to receive the same.

The House then resolved that the said Report be now received.

Which Report was then received and accepted.

On motion of Mr. Ferguson, seconded by Mr. Sherwood,

Ordered, That the said Bill as amended be engrossed, and read a third time this day.

Mr. Macdonell of York, seconded by Mr. Nelles, moved for leave to bring in a Bill to-morrow for compelling grantees of locations of land upon Yonge Street to comply with the general regulations in respect of the said Street or Highway.

Leave was accordingly granted.

Agreeable to the Order of the Day the House resolved itself into a Committee on the Bill to regulate the Fees to be taken by the Clerks of the Peace and Sheriffs in the several Districts of this Province.

Mr. Speaker left the Chair.

Mr. Ferguson was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Ferguson reported a progress and asked for leave to sit again.

And leave was accordingly granted.

Then was read for the third time as engrossed the Bill entitled "An Act for applying a certain sum of money therein mentioned to make good certain moneys issued and advanced by His Majesty through the Lieutenant Governor in pursuance of an Address of this House."

Which Bill passed and was signed by Mr. Speaker.

Then Mr. Macdonell of York moved, seconded by Mr. Ferguson, That Mr. Sherwood and Mr. Ferguson do carry up the said Bill to the Legislative Council and request their concurrence in passing the same.

The same was ordered accordingly.

On motion of Mr. Macdonell of York, seconded by Capt. Elliott, the House resolved itself into Committee to go into the further consideration of the Bill entitled "An Act for the better regulation of the Fees of His Majesty's Court of King's Bench, which are subject or liable to taxation."

Mr. Speaker left the Chair.

Mr. Ferguson again took the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Ferguson reported that the Committee had gone through the consideration of the said Bill, to which they had made some amendments, which he was directed to report whenever the House shall be pleased to receive the same.

On motion of Mr. Clench, seconded by Mr. Macdonell of York, the said Report was received and accepted.

Then the said Bill was ordered to be engrossed and read a third time to-morrow.

Mr. Sherwood gave notice that he will move to-morrow, That the House do then resolve itself into a Committee to take into consideration the contingent expenses of both Houses of Parliament during the present Session, and also the petition of Isaac Swayzie, Esquire.

Mr. Macdonell of York then gave notice that to-morrow he will move that a conference be requested with the Legislative Council to consider in common upon the best means of encouraging the culture and exportation of Hemp, and upon an Address to His Majesty praying aid in that respect.

On motion of Mr. McCrae, seconded by Mr. Weager, the House adjourned.

Wednesday, 29th. February, 1804.

Prayers were read.

Agreeable to the Order of the day was read for the second time the Bill entitled "An Act for the better securing the Province against all seditious attempts or designs to disturb the tranquility of this Province."

On motion of Mr. Sherwood, seconded by Mr. Weager, the House resolved itself into Committee to go into the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Clench was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Clench reported that the Committee had gone through the consideration of the said Bill, to which they had made no amendments, which he was directed to report to the House whenever it should be pleased to receive the same.

The House then resolved that the said Report be now received and accepted.

On motion of Mr. Sherwood, seconded by Mr. Nelles, the said Bill was read for the third time.

Then Mr. Macdonell of York moved, seconded by Mr. Clench that the following be added as the last clause to the said Bill.

"And be it further enacted by the authority aforesaid that this Act shall be, and continue to be in force for and during the term of four years and no longer."

On the question being put, a division thereupon ensued; the names being called for, they were taken down, and are as follows:

YEAS.	NAYS.
MESSRS. MACDONELL (York)	MESSRS. SOL'R GENERAL
CLENCH	SHERWOOD
	NELLES
	FERGUSON
	ROGERS
	WASHBURN
	THOMPSON
	ELLIOTT
	WEAGER
	SWAYZIE
	McCRAE

The same passed in the negative by a majority of nine.

The said Bill then passed and was signed by Mr. Speaker.

On motion of Mr. Solicitor General, seconded by Mr. McCrae,

Ordered, That Messrs. Sherwood and Ferguson do return to the Legislative Council the Bill entitled "An Act for the better securing the Province against all seditious attempts or designs to disturb the tranquility of this Province," and inform them that this House have concurred in passing the said Bill without any amendment.

Then was read for the third time the engrossed Bill entitled "An Act for the better regulation of the Fees in His Majesty's Court of King's Bench, which are subject or liable to taxation."

Which was then passed and was signed by Mr. Speaker.

On motion of Mr. Thompson, seconded by Mr. Clench,

Ordered that Mr. Macdonell of York and Mr. Weager do carry the said Bill to the Legislative Council, and request their concurrence in passing the same.

Messrs. Sherwood and Ferguson reported that they had carried up to the Legislative Council the Bill entitled "An Act for applying a certain sum of money, therein mentioned, to make good certain moneys advanced by His Majesty through the Lieutenant Governor in pursuance of an Address," and did request their concurrence thereto,—and also that they had carried up the Bill entitled "An Act for the better securing the Province against all seditious attempts or designs to disturb the tranquility of this Province."

Then Mr. Weager, one of the Messengers named to carry up to the Honorable Legislative Council a Bill entitled "An Act for the better regulation of Fees in His Majesty's Court of King's Bench which are subject or liable to taxation," reported that they had carried up the same and did request their concurrence thereto.

On motion of Mr. Ferguson, seconded by Mr. Swayzie, the House resolved itself into Committee to go into the consideration of the Fees to be taken by the Clerks of the Peace and Sheriffs in the several Districts of this Province.

Mr. Speaker left the Chair.

Mr. Ferguson took the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Ferguson reported a progress, and asked leave to sit again.

Leave was accordingly granted.

Read for the first time, the Bill entitled "An Act for the purpose of repairing Yonge Street Road leading to Lake Simcoe."

Mr. Macdonell of York then moved, seconded by Mr. Clench, that the Rule of this House requiring a day's previous notice be dispensed with, and that this Bill be now read a second time.

The same passed in the negative.

Mr. Rogers moved, seconded by Mr. Macdonell, that the said Bill be read a second time to-morrow.

Which was ordered accordingly.

On motion of Mr. Sherwood, seconded by Mr. McCrae, the House resolved itself into Committee to take into their consideration the Contingent Accounts of both Houses of Parliament, and also the Account of Isaac Swayzie, Esquire.

Mr. Speaker left the Chair.

Mr. Thompson was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Thompson reported a progress and asked for leave to sit again to-morrow.

Leave was accordingly given.

Mr. Sherwood moved, seconded by Mr. Nelles, that leave be given to Jacob Weager, Ebenezer Washburn and Samuel Sherwood, Esquires, to go home on Saturday next.

The same passed in the negative.

Mr. Washburn gave notice that he would move to-morrow for leave of absence from this House from Saturday next to the end of this Session.

On motion of Mr. Rogers, seconded by Mr. Ferguson, the House adjourned.

Thursday, 1st. March, 1804.

Prayers were read.

Mr. Washburn moved, seconded by Mr. Solicitor General, that leave be given to Messrs. Sherwood, Weager and Washburn to return home on Saturday next.

Leave was accordingly granted them.

Agreeable to the Order of the Day was read for the second time the Bill entitled "An Act for amending Yonge Street Road leading to Lake Simcoe."

Then on motion of Mr. Macdonell of York, seconded by Mr. Rogers, the House resolved itself into Committee to go into the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Sherwood was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Sherwood reported a progress, and asked leave to sit again to-morrow.

Leave was accordingly granted.

On motion of Mr. Ferguson, seconded by Mr. Swayzie, the House resolved itself into Committee to go into the further consideration of the Bill entitled "An Act to regulate the Fees to be taken by the Clerk of the Peace and Sheriffs in the several Districts throughout this Province."

Mr. Speaker left the Chair.

Mr. Swayzie was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Swayzie reported that the Committee had gone through the consideration of the said Bill, to which they had made some amendments, which amendments he was directed to report to the House whenever it shall be pleased to receive the same.

The House then resolved that the said Report be now received.

Which Report was accordingly received and accepted.

On motion of Mr. Ferguson, seconded by Mr. Sherwood, the said Bill was ordered to be engrossed and read a third time.

On motion of Mr. Ferguson, seconded by Mr. Nelles, the House resolved itself into Committee on the Contingent Accounts of both Houses of Parliament.

Mr. Speaker left the Chair.

Mr. Thompson was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

And Mr. Thompson reported a progress and asked leave to sit again.

Leave was accordingly granted.

A Message from the Legislative Council, by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable Legislative Council to inform this House that they have passed a Bill sent up to them, from this House, entitled

"An Act for the relief of such Cultivators of Hemp as are affected by the present want of a Market for the same within this Province," to which they made some amendments, and do request the concurrence of this House to the same.

And then he withdrew.

Mr. Sherwood moved, seconded by Captain Elliott, that the said Bill as amended be now read.

On the question being put, a division thereupon ensued; the names being called for, they were taken down, and are as follows:

YEAS.	NAYS.
MESSRS. SWAYZIE	MESSRS. FERGUSON
SHERWOOD	MACDONELL (York)
SOL'R GENERAL	ROGERS
ELLIOTT	NELLES
WASHBURN	
McCRAE	
THOMPSON	

Which was carried in the affirmative by a majority of three.

Then the said amendments were read.

A Message from the Honorable Legislative Council, by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Legislative Council to inform this Honorable House that they passed the Bill entitled "An Act for applying a certain sum of money therein mentioned to make good certain moneys issued and advanced by His Majesty through the Lieutenant Governor, in pursuance of an Address," without any amendment.

And then he withdrew.

Members present were:

MR. SPEAKER
MESSRS. SHERWOOD
SOL'R GENERAL
SWAYZIE,
THOMPSON
WASHBURN
McCRAE
ELLIOTT

At three o'clock in the afternoon Mr. Speaker adjourned the House for want of a quorum.

Friday, 2nd. March, 1804.

Prayers were read.

Mr. Macdonell of York moved, seconded by Mr. Sherwood, that so much of the Order of the House as requires a day's previous notice be dispensed with, and that he have leave to bring in a Bill entitled "An Act for granting to His Majesty a certain sum of money for the further encouragement of the growth and cultivation of Hemp in this Province, and the exportation thereof."

Leave was accordingly given.

Then the said Bill was read for the first time.

Then, on motion of Mr. Sherwood, seconded by Mr. Macdonell of York, the said Bill was read for the second time.

On motion of Mr. Macdonell of York, seconded by Mr. Washburn, the House resolved itself into Committee to go into the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Nelles was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Nelles reported a progress, and asked leave to sit again.

Leave was given accordingly.

A Message from the Legislative Council, by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable Legislative Council to inform this House that they have passed a Bill entitled "An Act to repeal certain parts of an Act passed in the thirty fourth year of His Reign, entitled "An Act to establish a Superior Court of Civil and Criminal Jurisdiction, and to regulate the Court of Appeal, and to authorize His Majesty's Court of King's Bench in this Province to regulate certain Fees, Costs and Charges therein mentioned," and to request the concurrence of this House thereto.

And then he withdrew.

The said Bill was then read for the first time.

The House again resolved itself into Committee to go into the further consideration of the Bill entitled "An Act for granting to His Majesty a certain sum of money for the further encouragement of the cultivation and growth of Hemp within this Province, and the exportation thereof."

Mr. Speaker left the Chair.

Mr. Nelles again took the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Nelles reported that the Committee had gone through the consideration of the said Bill, to which they had made some amendments, which amendments he was directed to report to the House whenever it should be pleased to receive the same.

The House then resolved that the said Report be now received and accepted.

Then, on motion of Mr. Sherwood, seconded by Captain Elliott, the said Bill was ordered to be engrossed and read a third time this day.

On motion of Mr. Sherwood, seconded by Captain Elliott, the House resolved itself into Committee to take into their consideration the contingent Accounts of both Houses, and the Petition of Isaac Swayzie, Esquire.

Mr. Speaker left the Chair.

Mr. Thompson was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Thompson reported a progress, and asked leave to sit again this day.

Leave was accordingly granted.

A Message from the Legislative Council, by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Legislative Council to inform this Honorable House that they have passed the Bill entitled "An Act to amend an Act passed in the forty third year of His Majesty's Reign, entitled "An Act to extend the provisions of an Act passed in the thirty fourth year of His Majesty's Reign, entitled "An Act to restrain the custom of permitting Horned Cattle, Horses, Sheep and Swine to run at large," to which they have made some amendments, and request the concurrence of this House thereunto.

And then he withdrew.

On motion of Mr. Sherwood, seconded by Mr. Weager, the House again resolved itself into Committee on the Contingent Accounts of both Houses and the Petition of Isaac Swayzie, Esquire.

Mr. Speaker left the Chair.

Mr. Thompson again took the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Thompson reported that the Committee recommend that an humble Address be presented to His Excellency the Lieutenant Governor, praying that he will be pleased to issue his warrant to the Receiver General to pay Isaac Swayzie, Esquire, the sum of forty five pounds, nine shillings and eight pence, to reimburse him for money expended in purchasing Hemp Seed, which the House will make good at the next Session of Parliament.

(Signed) Timothy Thompson, Chairman.

Which Report was accepted.

Mr. Clench moved, seconded by Mr. Nelles, that Mr. Sherwood and Mr. Washburn be a Committee to draft an Address to His Excellency the Lieutenant Governor, praying that he may be pleased to reimburse Isaac Swayzie, Esquire, the sum of money paid for and on account of the purchase of Hemp Seed.

Which was ordered accordingly.

Then Messrs. Sherwood and Washburn reported that they had drafted an Address to His Excellency the Lieutenant Governor, which they were now ready to submit to the House whenever it shall be pleased to receive the same.

The House then resolved that the said Address be now read.

Then Mr. Sherwood read the said Address in his place, which he afterwards delivered in at the Table, and is as follows:

To His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada and Lieutenant General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada, &c.

May it please Your Excellency,

We, His Majesty's most dutiful and loyal subjects, the Commons of Upper Canada in Parliament assembled, do most humbly pray that Your Excellency will be pleased to issue your warrant to the Receiver General to pay Isaac Swayzie, Esquire, the sum of forty five pounds, nine shillings and eight pence, for disbursements made by him in the purchase of Hemp Seed for the use of this Province, which sum we, the Commons of Upper Canada, will make good to Your Excellency in the next Session of Parliament.

Commons House of Assembly,
Friday, 2nd. March, 1804.

Then, on motion of Mr. Sherwood, seconded by Mr. Weager, the said Address was ordered to be engrossed.

The said Address was then read as engrossed, and signed by Mr. Speaker.

Mr. Sherwood moved, seconded by Captain Elliott, that Mr. Thompson and Mr. Nelles do carry up the said Address to His Excellency the Lieutenant Governor.

Which was ordered accordingly.

Mr. Macdonell of York moved, seconded by Mr. Solicitor General, that the sense of the House be taken whether all Addresses should be ordered to be engrossed and then read previous to being signed.

The House then resolved that all Addresses shall be engrossed and read previous to being signed.

Then was read for the third time as engrossed the Bill entitled "An Act granting to His Majesty a certain sum of money for the further encouragement of the growth and cultivation of Hemp within this Province, and the exportation thereof."

On Mr. Speaker having put the question, Shall the Bill pass as now read, a division thereupon took place, the names being called for they were taken down, and are as follows:

YEAS.	NAYS.
MESSRS. SOL'R GENERAL	MESSRS. NELLES
SH'FF MACDONELL	ROGERS
SWAYZIE	CLENCH
WASHBURN	
THOMPSON	
MACDONELL (York)	
SHERWOOD	
ELLIOTT	
WEAGER	
McCRAE	

The same was carried in the affirmative by a majority of seven.

The said Bill then passed, and was signed by Mr. Speaker.

Mr. Thompson, seconded by Captain Elliott, moved that Mr. Macdonell of York and Mr. Washburn do carry up the said Bill to the Honorable the Legislative Council and request their concurrence thereto.

Which was ordered accordingly.

Messrs. Macdonell and Washburn reported that they had carried up to the Honorable Legislative Council the Bill entitled "An Act for granting to His Majesty a certain sum of money for the further encouragement of the growth and cultivation of Hemp within this Province, and the exportation thereof," and requested their concurrence thereto.

Then was read for the third time the engrossed Bill to regulate the Fees to be taken by the Clerks of the Peace and Sheriffs in the several Districts throughout this Province.

Which passed, and was signed by Mr. Speaker.

Mr. Washburn, seconded by Mr. Swayzie, moved that Mr. McCrae and Mr. Weager do carry up to the Legislative Council the Bill entitled "An Act to regulate the Fees to be taken by the Clerks of the Peace and Sheriffs in the several Districts throughout this Province.

Ordered accordingly.

Messrs. McCrae and Rogers, named to carry up to the Legislative Council the Bill to regulate the Fees to be taken by the Clerks of the Peace and Sheriffs in the several Districts throughout this Province, reported that they had carried up the said Bill, and did request their concurrence thereto.

A Message from the Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

I am commanded by the Honorable Legislative Council to inform this House that they have concurred in passing the Bill entitled "An Act for granting to His Majesty a certain sum of money for the further encouragement of the growth and cultivation of Hemp in this Province, and the exportation thereof," without any amendment.

And then he withdrew.

Then, on motion of Mr. Sheriff Macdonell, seconded by Mr. Solicitor General, the Bill sent down by the Honorable Legislative Council entitled "An Act to repeal certain parts of an Act passed in the thirty fourth year of His Majesty's Reign, entitled "An Act to establish a Superior Court of Civil and Criminal Jurisdiction and to regulate the Court of Appeal, and to authorize His Majesty's Court of King's Bench in this Province to regulate certain Fees, Costs and Charges therein mentioned," was read for the first time.

Then, on motion of Mr. Solicitor General, seconded by Mr. Sheriff Macdonell,

Ordered, that the said Bill be read a second time to-morrow.

On motion of Mr. Rogers, seconded by Mr. Macdonell of York, the House resolved itself into Committee on the Bill entitled "An Act to repair the Road leading to Lake Simcoe."

Mr. Speaker left the Chair.

Mr. Washburn was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Washburn reported a progress, and asked leave to sit again to-morrow.

Leave was accordingly given.

On motion of Mr. Macdonell of York, seconded by Capt. Elliott, the House adjourned.

Saturday, 3rd. March, 1804.

Prayers were read.

Agreeable to the Order of the Day was read a second time an Act entitled "An Act to repeal certain parts of an Act passed in the thirty fourth year of His Majesty's Reign, entitled "An Act to establish a Superior Court of Civil and Criminal Jurisdiction, and to regulate the Court of Appeal, and to authorize His Majesty's Court of King's Bench in this Province to regulate certain fees, costs and charges therein mentioned."

On motion of Mr. Solicitor General, seconded by Mr. Sheriff Macdonell, the House resolved itself into Committee to go into the consideration of the said Bill.

Mr. Speaker left the Chair.

Mr. Thompson was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Thompson reported that he was directed to inform the House that the Committee had gone through the consideration of the said Bill without any amendment.

Which report was received and accepted.

The said Act was then read for the third time, which passed, and was signed by Mr. Speaker.

Mr. Sheriff Macdonell, seconded by Capt. Elliott, moved that Mr. Macdonell of York and Mr. Clench do carry up the said Act to the Legislative Council and inform them that this House have concurred in passing the same without any amendment.

Which was ordered accordingly.

Mr. Macdonell of York, first named to carry to the Honorable the Legislative Council the Bill entitled "An Act to repeal certain parts of an Act passed in the thirty fourth year of His Majesty's Reign, entitled "An Act to establish a Supreme Court of Civil and Criminal Jurisdiction and to regulate the Court of Appeal, and to authorize His Majesty's Court of King's Bench in this Province to regulate certain fees, costs and charges therein mentioned," reported that they had carried up the same.

Then was read for the first time the amendments made by the Honorable the Legislative Council in and to a Bill entitled "An Act passed in the forty third year of His Majesty's Reign entitled "An Act to extend the provisions of an Act passed in the thirty fourth year of His Majesty's Reign, entitled "An Act to restrain the custom of permitting horned cattle, horses, sheep and swine to run at large."

Mr. Sheriff Macdonell moved, seconded by Capt. Elliott, that so much of the Rules of this House as direct that a Member intending to move any question shall give one day's previous notice, be dispensed with, and that those amendments be now read for the second time.

Ordered accordingly.

Then the amendments to the said Bill were read a second time.

On motion of Mr. Macdonell of York, seconded by Captain Elliott, the House resolved itself into Committee to take the said amendments into consideration.

Mr. Speaker left the Chair.

Mr. Clench was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Clench reported that the Committee had come to a resolution, which he was directed to submit to the House, and then report in his place.

Resolved, That it is the opinion of the Committee that the Bill as amended by the Legislative Council do pass.

On motion of Mr. McCrae, seconded by Mr. Swayzie,

Resolved, That this House doth concur with the Committee in the said Resolution.

On motion of Mr. Rogers, seconded by Mr. Clench, the said amendments were ordered to be engrossed.

Mr. Macdonell of York moved, seconded by Mr. McCrae, that Mr. Sheriff Macdonell and Capt. Elliott be Messengers to carry up to the Legislative Council the following Message.

Mr. Speaker,

The Commons have agreed to the amendments made in the Legislative Council in and to the Bill entitled "An Act to amend an Act passed in the forty third year of His Majesty's Reign, entitled "An Act to extend the provisions of an Act passed in the thirty fourth year of His Majesty's Reign, entitled "An Act to restrain the custom of permitting horned cattle, horses, sheep and swine to run at large," and have concurred in passing the said Bill under the title of "An Act to amend an Act passed in the forty third year of His Majesty's Reign, entitled "An Act to extend the provisions of an Act passed in the thirty fourth year of His Majesty's Reign, entitled "An Act to restrain the custom of permitting horned cattle, horses, sheep and swine to run at large."

Accordingly the same was ordered.

On motion of Mr. Macdonell of York, seconded by Mr. Nelles, the House resolved itself into Committee to go into the consideration of the Bill entitled "An Act to provide for the amending and keeping in repair certain parts of the Road commonly called Yonge Street."

Mr. Speaker left the Chair.

Mr. Rogers was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Rogers reported a progress, and asked leave to sit again this day.

Leave was accordingly granted.

A Message from the Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

The Honorable the Legislative Council, finding there is some clerical error in the Messages sent by the House of Assembly to-day in respect of the amendments by them made in and to a Bill entitled "An Act to amend an Act passed in the forty third year of His Majesty's Reign, entitled "An Act to extend the provisions of an Act passed in the thirty fourth year of His Majesty's Reign, entitled "An Act to restrain the custom of permitting horned cattle, horses, sheep and swine to run at large," the amended title not being correctly inserted in the said message, which they do request may be corrected.

And then he withdrew.

The House again resolved itself into Committee to go into the further consideration of the Bill to repair certain parts of Yonge Street.

Mr. Speaker left the Chair.

Mr. Rogers again took the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Rogers reported the said Bill as amended.

On motion of Mr. Macdonell of York, seconded by Mr. Rogers, the said Bill was ordered to be engrossed and read a third time this day.

Ordered accordingly.

Then was read for the third time as engrossed the Bill entitled "An Act to provide for the amending and keeping in repair certain parts of the Road commonly called Yonge Street."

Mr. Rogers moved, seconded by Mr. Nelles, that the Bill do pass, and that the title be "An Act to provide for the amending and keeping in repair certain parts of the Road commonly called Yonge Street."

Ordered accordingly.

The said Bill then passed, and was signed by Mr. Speaker.

Then Mr. McCrae moved, seconded by Mr. Sheriff Macdonell, that Mr. Macdonell of York and Mr. Nelles do carry up to the Honorable Legislative Council the Bill entitled "An Act to provide for the amending and keeping in repair certain parts of the Road commonly called Yonge Street," and also the following Message.

Mr. Speaker,

The Commons in their message of this day informing the Honorable the Legislative Council that they had agreed to the amendments made in the Honorable the Legislative Council in and to the Bill entitled "An Act to amend an Act passed in the forty third year of His Majesty's Reign, entitled "An Act to extend the provisions of an Act passed in the thirty fourth year of His Majesty's Reign, entitled "An Act to restrain the custom of permitting horned cattle, horses, sheep and swine to run at large," intended to have further said that they had concurred in passing the said Bill under the amended title of "An Act to repeal so much of an Act passed in the thirty fourth year of His Majesty's Reign, entitled "An Act to restrain the custom of permitting horned cattle, horses, sheep and swine to run at large," as relates to sheep, and to restrain the owners of Rams from permitting them to run at large during a certain time of the year, but perceive that by a clerical error the amended title has been mis-recited, in their said message. They do therefore request that such clerical error be rectified, and that the intention of the Commons be understood to have been to define the said Bill in the latter part of their said message by its amended title.

Messrs. Macdonell of York and Nelles reported that they had carried up the said message to the Legislative Council, and also the Bill entitled "An Act to provide for the amendment and keeping in repair certain parts of the Road commonly called Yonge Street," and did request their concurrence to the said Bill.

Agreeable to the Order of the Day, the House resolved itself into Committee on the contingent accounts of both Houses.

Mr. Speaker left the Chair.

Mr. Thompson was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Thompson reported a progress, and asked leave to sit again on Monday next.

Leave was accordingly granted.

On motion of Mr. McCrae, seconded by Mr. Swayzie,

The House adjourned till Monday next.

Monday, 5th. March, 1804.

Prayers were read.

On motion of Mr. Swayzie, seconded by Mr. McCrae, the House resolved itself into Committee on the Contingent Accounts of both Houses of Parliament.

Mr. Speaker left the Chair.

Mr. Thompson was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Thompson reported that the Committee had made some progress, and directed him to ask leave to sit again to-morrow.

Leave was accordingly given.

On motion of Mr. Rogers, seconded by Mr. McCrae, the House adjourned until nine o'clock to-morrow morning.

Tuesday, 6th. March, 1804.

Prayers were read.

On motion of Mr. Solicitor General, seconded by Mr. McCrae, the House resolved itself to go into the further consideration of the Contingent Accounts of both Houses.

Mr. Speaker left the Chair.

Mr. Thompson was called to the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Thompson reported that the Committee had come to several resolutions, which he was directed to report whenever the House shall be pleased to receive the same.

The House then resolved that the Report be now received.

And the said Resolutions are as follows:

Resolved, That it is the opinion of the Committee that there is due to sundry persons, agreeable to the annexed accounts, sent down from the Honorable Legislative Council, and signed by their Speaker, for services performed during the present session, and for the purchase of stationery for the next session eighty three pounds, fifteen shillings and seven pence farthing.

Resolved, That it is the opinion of the Committee that there is due to sundry persons, agreeable to the annexed account, for services and labour performed during the late recess of Parliament and the present session, the sum of one hundred and fifteen pounds, thirteen shillings and one half penny.

Resolved, That it is the opinion of the Committee that it is expedient to advance the sum of thirty pounds to the Clerk of the House of Assembly, to enable him to purchase a supply of stationery for the ensuing session of Parliament.

Which report was accepted.

GOVERNMENT, Dr.
to George Law,
Gentleman Usher of the Black Rod.

No. 1	To amount of William account for sundries furnished to the Legislature	7.	8.	1½
No. 2	To Hugh McLean's washing &c.	2.	14.	4½
No. 3	" John Bassell's account for his attendance on the Legislative Council	13.	8.	9
No. 4	" Henry Hale's account for printing &c.		15.	0
No. 5	" John Collumbus for cleaning the stoves &c.	10.	17.	7½
No. 6	" Paul Marion for teaming &c.		12.	6
No. 7	" William Cooper for materials furnished for the Office of the Legislative Council	9.	2.	9¾
No. 8	" John McBeath for desks &c. to the Office	9.	13.	11
No. 9	" William Smith for repairing official gallery &c.	7.	7.	6
No. 10	" Extra allowance to the Clerk of the Legislative Council for copying Clerks	1.	15.	0
No. 11	" A vote for twenty pounds to enable the Clerk of the Legislative Council to provide stationery for the next Session	20.	0.	0
		£83.	15.	7¼

Amounting to eighty three pounds, fifteen shillings, and seven pence farthing currency.

(Signed) H. Allcock,
Speaker.

Contingent account of the Honorable the House of Assembly.

March 9.	To cash paid Philip Clinger and not brought into account of last session, as per receipt	1.	16.	3
July 29.	Paid Paul Marion for carting five boxes to the Garrison containing laws for the Niagara and western Members of the House of Assembly, as per receipt		3.	1½
	Rent for a House for storing the furniture of the House of Assembly	10.	0.	0
	Amount of freight and cartage of Journals forwarded to the Western Members, paid by Messrs. G. Forsyth and Co.		4.	4½
	Johnston's Dictionary in Octavo, purchased for the use of the Clerks' Office		16.	6
	Freight of Stationery from Montreal to Kingston, being two barrels bulk	1.	16.	6
	Storage of ditto at Kingston		2.	0
	Freight of do from Kingston to York		10.	0
	William Allan, Esq., per account	1.	5.	7½
	J. Collumbus per account	10.	5.	0
	John McBeath per account	23.	18.	6½
	Forty days lighting fires and attending the Clerk's Office during the recess of Parliament, at 1.3d per day	2.	10.	0
	Paid Mr. William Bailey for 30 days copying several writings, and comparing the same, at 5s. per day as per rec.	7.	10.	0
	Mr. Duncan Cameron per account	4.	8.	1½
	To the Messengers' Office Keeper for 40 days attendance during the present session, at 6.3d per day.	12.	10.	0
	To the Copying Clerks as per their account	48.	5.	0
	To the Door Keeper per account	4.	1.	4
	Mr. Thomas Moseley, for firewood per account	5.	1.	3
	Paid John Neilson for stationery for the use of the House of Assembly as per receipt	28.	10.	0
	Cash paid for postage of a letter enclosing the aggregate assessments of the Western District		2.	5
	To the Printer for two ornaments at 1s. each		2.	0
	For all incidental charges allowed the Clerk to complete the business of the present Session	5.	0.	0
		£170.	13.	0½
	Balance brought down	£115.	13.	0½
	Cash voted by the House of Assembly for the purchase of Stationery for the ensuing Session	30.	0.	0
		£145.	13.	0½

	Provincial Currency.		
By cash received to purchase stationery for the use of the present session	30.	0.	0
His Excellency the Lieut. Governor's Warrant issued on account of copying clerks, being the sum allowed by law for that purpose	25.	0.	0
By Balance	115.	13.	0½
	£170.	13.	0½

Then, on motion of Mr. McCrae, seconded by Capt. Elliott, the House resolved that an humble Address be presented to His Excellency the Lieut. Governor, praying that His Excellency will be pleased to issue his Warrant directed to the Receiver General in favour of George Law, Gentleman Usher of the Black Rod, for the sum of sixty three pounds and seven pence farthing, to enable him to defray the contingent expenses of the Legislative Council during the present session, and also that he will be pleased to issue his Warrant directed to the Receiver General authorizing and requiring him to pay James Clark, Esquire, Clerk of the Honorable Legislative Council, the sum of twenty one pounds, fifteen shillings, to enable him to defray the expenses of extra copying clerks during the present session, and to purchase stationery for the use of the ensuing session of Parliament, And that His Excellency will be further pleased to issue his Warrant on the Receiver General in favour of Donald McLean, Esquire, for the sum of one hundred and fifteen pounds thirteen shillings and one half penny, for the defraying of the contingent account of the House of Assembly and the payment of extra copying clerks during the present session, and thirty pounds to procure stationery for the use of the ensuing session of Parliament.

Mr. Sheriff Macdonell moved, seconded by Mr. Swayzie, That Mr. Solicitor General and Mr. Macdonell of York be a Committee to draft an Address to His Excellency the Lieutenant Governor, praying that he may be pleased to order payment of the several contingencies and moneys voted for the purpose of stationery for both Houses for the ensuing session of Parliament.

Which was ordered accordingly.

Mr. Solicitor General reported that they had drafted an Address to His Excellency the Lieutenant Governor, which he was ready to submit to the House whenever it should be pleased to receive the same.

The House then resolved that the said Address be now received.

Mr. Solicitor General then read the same in his place, which he delivered in at the Table, and which was afterwards read by the Clerk. and is as follows:

To His Excellency Peter Hunter, Esquire,
Lieutenant Governor of the Province of Upper Canada, and
Lieutenant General Commanding His Majesty's Forces in the
Provinces of Upper and Lower Canada, &c. &c. &c.

May it please Your Excellency,

We. His Majesty's most dutiful and loyal subjects, the Commons of Upper Canada in Parliament assembled, do most humbly pray that it may please Your Excellency to issue your warrant directed to the Receiver General; authorizing and requiring him to pay unto Mr. George Law, Gentleman Usher of the

Black Rod, the sum of sixty two pounds and seven pence farthing, in order to enable him to answer and satisfy certain contingent expenses of the Legislative Council during the present Session, and also that it may please Your Excellency to issue your warrant, directed to the said Receiver General, authorizing and requiring him to pay unto James Clark, Esquire, Clerk of the Legislative Council, the sum of twenty-one pounds, fifteen shillings, to enable him to answer and satisfy the wages of extra Copying Clerks employed during the present Session, and to provide a supply of stationery for the use of the next session of Parliament. And that Your Excellency be further pleased to issue your Warrant, directed to the said Receiver General, authorizing and requiring him to pay unto Donald McLean, Esquire, Clerk of the Commons House of Assembly, the sum of one hundred and forty-five pounds, thirteen shillings and one half penny, as well, in order to enable him to answer and satisfy the sum of one hundred and fifteen pounds, thirteen shillings and one half penny, for certain contingent expenses of the said Commons House of Assembly during the present Session; including the wages of extra Copying Clerks during the same and the preceding recess, and the sum of thirty pounds to enable him to provide a supply of stationery for the use of the ensuing Session of Parliament.

Which several sums of money the Commons will make good to Your Excellency during the next Session of Parliament.

Commons House of Assembly,
Thursday, 6th. March, 1804.

Then, on motion of Mr. McCrae, seconded by Captain Elliott,

Ordered, That the said Address be now engrossed.

The said Address as engrossed was then read and signed by Mr. Speaker.

Ordered, That Messrs. Thompson and McCrae do present the said Address to His Excellency the Lieutenant Governor.

On motion of Mr. Sheriff Macdonell, seconded by Mr. Ferguson, the House resolved that all accounts which shall in future be presented by any individual for work or labour done, or for articles furnished for the use of this House, shall be sworn to; and the affidavit specify that the charges therein contained are the usual charges and the commonly received prices for such work and labour or for such articles so furnished.

On motion of Mr. Solicitor General, seconded by Mr. Nelles, the House adjourned.

Wednesday, 7th. March, 1804.

Prayers were read.

Members present:

MR. SPEAKER,
MESSRS. THOMPSON,
SWAYZIE,
SOL'R GENERAL,
SHERIFF MACDONELL
MACDONELL (York).

At one o'clock in the afternoon Mr. Speaker adjourned the House for want of a quorum.

Thursday, 8th. March, 1804.

Prayers were read.

Mr. Macdonell of York moved, seconded by Mr. McCrae, that an humble Address be voted to the King's Most Excellent Majesty, humbly beseeching His Majesty to accept the warmest assurances of our unalterable attachment to his sacred person and Government, expressing our regret that our remote situation excludes us from participating with our fellow subjects of the United Kingdom of Great Britain and Ireland in the glorious contest which at present engages His Majesty's Arms, and stating our hopes that His Majesty will aid our feeble efforts towards the construction of such Public Buildings as the administration of Public Justice and the preservation of Public Records require.

Which was ordered accordingly.

On motion of Mr. McCrae, seconded by Captain Elliott, the House adjourned for two hours.

The House being met, Messrs. Thompson and McCrae reported that in obedience to the Order of this House they had presented to His Excellency the Lieutenant Governor the Addresses of this House voted on the 2nd and 6th inst.

To which he was pleased to return the following answer.

Gentlemen,

I accede to the Address of the House of Assembly for issuing my warrant to the Receiver General for the sum of forty five pounds, nine shillings and eight pence, in favor of Isaac Swayzie, Esquire, for disbursements made by him in the purchase of Hemp Seed for the use of this Province.

Gentlemen,

I accede to the Address of the House of Assembly of the sixth March, 1804, and shall issue my warrant accordingly.

Mr. Macdonell of York moved, seconded by Mr. Sheriff Macdonell, that the House having voted an Address to the King's Most Excellent Majesty humbly beseeching His Majesty to aid our feeble endeavors towards the construction of proper buildings for the accommodation of the Legislative Council and Assembly of this Province, and of the Courts of Justice therein, and of suitable and convenient offices for the security and preservation of the Public Records, Documents and Instruments thereof, and it appearing conducive to the success of the purpose of the said Address that both Houses of Parliament should concur in a joint address to our Sovereign, this House do accordingly request a free and common conference with the Legislative Council on the subject of such Address, and that Mr. Sheriff Macdonell and Captain Elliott do carry up the following Message.

Mr. Speaker,

The Commons do request a conference with the Honorable the Legislative Council on the subject of a joint Address to the King's Most Excellent Majesty, humbly imploring His Majesty's most gracious aid and assistance in the furtherance of the exertions made by the Parliament of this Province towards erecting proper and suitable buildings for the public uses of this Province.

Which was ordered accordingly.

Mr. Sheriff Macdonell and Captain Elliott reported that they had carried up the said Message.

A written Message from the Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

The Honorable the Legislative Council have acceded to the Message sent by the House of Assembly to-day, requesting a conference with them upon the subject of a joint Address to the King's Most Excellent Majesty, humbly imploring His Majesty's most gracious aid and assistance in furtherance of the exertions made by the Parliament of this Province, towards erecting proper and suitable buildings for the public uses of the Province: and to inform the House of Assembly that they have appointed a Committee of the Whole House to meet a Committee of the Whole House of Assembly upon that subject, whom they are now ready to receive in the Council Chamber.

Legislative Council Chamber, (Signed) H. Allcock,
8th. March, 1804. Speaker.

And then he withdrew.

On motion of Mr. Macdonell of York, seconded by Mr. Nelles,

Ordered, That a Committee of the Whole of this House, or of so many Members thereof as may be disposed to attend, do confer with a Committee of the Legislative Council on the subject of this day's Message.

Accordingly a Committee of the Whole House went up to the Legislative Council Chamber, where they met in conference with the Committee of the Whole of the Honorable Legislative Council upon the subject matter of a joint Address to the King's Most Excellent Majesty and His Excellency the Lieutenant Governor.

Mr. Solicitor General, from the Committee of the Whole House, reported that they had been in the Legislative Council Chamber, where they met a Committee of the Whole House of the Honorable Legislative Council, and that the Committee of each House had jointly concurred in an Address to the King's Most Excellent Majesty and His Excellency the Lieutenant Governor.

A Message from the Legislative Council by Mr. Burns, Master in Chancery.

Mr. Speaker,

The Honorable Legislative Council have, in consequence of the conference with a Committee of the Whole of this House this day, sent down an Address to the King's Most Excellent Majesty and His Excellency the Lieutenant Governor for the concurrence of this House.

And then he withdrew.

The said Addresses were then read by Mr. Speaker, and are as follows:

To the King's Most Excellent Majesty,

Most Gracious Sovereign,

We, Your Majesty's most dutiful and loyal subjects, the Legislative Council and House of Assembly of Your Majesty's Province of Upper Canada in Parliament assembled, having taken into our serious consideration the communication which Your Majesty's Lieutenant Governor was pleased by his Speech to make to us at the opening of the present Session respecting the dangerous state of the Public Records and evidences of title to the landed property of this Province, and the appropriation of a fund for the erection of proper buildings in which reasonable security might be afforded to those documents, humbly pray to submit to Your Majesty that being truly sensible of the importance of the subject so recommended to our consideration by Your Majesty's said Lieutenant Governor, we have passed a Bill for levying and raising out of the duties and taxes already imposed, or hereafter to be imposed, by the Legislature of this Province, an annual sum of four hundred pounds for the erection of such Public Buildings as shall be found adequate to the purposes specified in Your Majesty's and Lieutenant Governor's Speech, and also for the erection of proper Buildings for the meeting and assembling of the Legislative Council and House of Assembly, and wherein to hold Your Majesty's Courts of Justice in this Province; and we have submitted such Bill to Your Majesty's said Lieutenant Governor for his assent to the same in Your Majesty's name.

Deeply impressed with a due sense of Your Majesty's Parental regard for the interests of Your Majesty's subjects in Upper Canada, we feel it our duty humbly to express to Your Majesty our gratitude for the signal marks of Your Royal Beneficence, which Your Majesty has ever been graciously pleased to confer on these parts of Your Majesty's Dominions since the establishment of this Province and our happy Constitution; and humbly pray further to submit to your Royal consideration that we lament sincerely that from the infant state of the Province we are not able to make a more ample provision for the attaining of these desirable objects; and being truly sensible that such provision is totally inadequate to such purposes,

Humbly implore Your Majesty that Your Majesty would be graciously pleased to grant to us such aid as Your Majesty in Your Parental regard for your subjects of this Province shall graciously vouchsafe to bestow, to enable us to secure our Public Records against destruction by fire and other casualties, and to enjoy the property which Your Majesty in your bounty has been graciously pleased to confer upon your subjects in this Province, for the meeting and assembling of the Legislative Council and House of Assembly, and to enable Your Majesty's Judges with more convenience to administer Justice. Humbly beseeching Your Majesty would be graciously pleased to accept our most dutiful assurances of our firm and unshaken loyalty and attachment to Your Majesty's Most Sacred Person and Government.

Legislative Council Chamber.
Thursday, 8th. March, 1804.
Commons House of Assembly,
Thursday, 8th. March, 1804.

By Order of the House.
(Sd.) H. Allcock,
Speaker.
(Sd.) Richard Beasley
Speaker.

To His Excellency Peter Hunter, Esquire, Lieutenant Governor of the Province of Upper Canada and Lieutenant General Commanding His Majesty's Forces in the Provinces of Upper and Lower Canada &c.

May it please Your Excellency We, His Majesty's most loyal and dutiful subjects, the Members of the Legislative Council and House of Assembly of the Province of Upper Canada in Parliament assembled, having resolved humbly to address His Majesty, praying that His Majesty would be graciously pleased to grant to us such aid as His Majesty in His Parental regard for his subjects of this Province shall graciously vouchsafe to bestow to enable us to secure our Public Records against destruction by fire, and other casualties, and to enjoy the property which His Majesty in his bounty has been graciously pleased to confer upon his subjects in this Province, for the meeting and assembling of the Legislative Council and House of Assembly, and to enable His Majesty's Judges with more convenience to administer Justice; humbly beseeching His Majesty that he would be graciously pleased to accept our dutiful assurances of our most firm and unshaken loyalty and attachment to his sacred person and Government, do intreat Your Excellency that you would be pleased to transmit to the Right Honorable Lord Hobart, one of His Majesty's principal Secretaries of State, the said humble Address; and we have further to pray of Your Excellency that you would also be pleased to honor us with Your Excellency's recommendation of such an Address to His Lordship's favor.

Legislative Council Chamber, Thursday, the eighth day of March, one thousand eight hundred and four.

By order of the House.

(Signed) H. Allcock
Speaker.

Commons House of Assembly,
Thursday, the eighth day
of March, one thousand,
eight hundred and four.

(Signed) Richard Beasley
Speaker.

The House then unanimously resolved that the said Addresses do pass, and that Mr. Speaker do sign the same.

Then Mr. Macdonell of York moved, seconded by Mr. Solicitor General, that Messrs. Swayzie and Elliott do go up and inform the Honorable Legislative Council that the Commons have concurred unanimously in the joint Address to the King's Most Excellent Majesty and His Excellency the Lieutenant Governor, on the subject matter of this day's conference, sent down to them by this House, and that Mr. Speaker, by order of the House had signed the said Addresses.

Messrs. Swayzie and Elliott reported that they had delivered to the Honorable Legislative Council the Message of this House.

Then on motion of Mr. Macdonell of York, seconded by Mr. Solicitor General.

Ordered, That Mr. Swayzie and Mr. McCrae do wait on His Excellency the Lieutenant Governor to know at what time he will be pleased to receive the joint Addresses of both Houses of Parliament.

On motion of Mr. Ferguson, seconded by Mr. McCrae, the House adjourned until nine o'clock in the forenoon to-morrow.

Friday, 9th. March, 1804.

Prayers were read.

Messrs. Swayzie and McCrae reported that they had waited on His Excellency the Lieutenant Governor and that he had been pleased to appoint this day at eleven o'clock in the forenoon to receive the joint Addresses of both Houses of Parliament.

Then Mr. Macdonell of York moved, seconded by Mr. McCrae, that Mr. Swayzie, Mr. Solicitor General, Captain Elliott and Mr. Sheriff Macdonell, do wait on the part of this House upon His Excellency the Lieutenant Governor with the joint Addresses of both Houses of Parliament to the King's Most Excellent Majesty, and the joint Address to His Excellency the Lieutenant Governor.

Which was ordered accordingly.

Mr. Swayzie reported that the messengers had waited on His Excellency the Lieutenant Governor, with the joint Address of both Houses of Parliament to the King's Most Excellent Majesty, and to His Excellency the Lieutenant Governor, and that he had been pleased to return the following answer.

Gentlemen,

I accede to your Address to me of the eighth of March, one thousand eight hundred and four, and will transmit to the Honorable Lord Hobart, one of His Majesty's principal Secretaries of State, the Address of the Legislative Council and House of Assembly to His Majesty, with my warm recommendations of the same to His Lordship's kind offices.

A Message from His Excellency the Lieutenant Governor, by Mr. George Law, Gentleman Usher of the Black Rod.

Mr. Speaker,

I am commanded by His Excellency the Lieutenant Governor to acquaint this Honorable House that it is His Excellency's pleasure that the Members thereof do forthwith attend upon His Excellency in the Legislative Council Chamber.

Accordingly Mr. Speaker with the House went up to attend His Excellency, when His Excellency was pleased to give in His Majesty's name the Royal assent to the following Public and Private Bills, viz.

An Act for the exemplary punishment of all and every person and persons who shall seduce, or attempt to seduce, or aid or assist, or attempt to aid or assist, any soldier to desert His Majesty's Service, or who shall harbor, conceal, receive or assist any deserter from such service.

An Act for the better securing the Province against all seditious attempts or designs to disturb the tranquility of this Province.

An Act to repeal so much of an Act, passed in the thirty-fourth year of His Majesty's Reign, entitled "An Act to restrain the custom of permitting Horned Cattle, Horses, Sheep and Swine, to run at large, as relates to Sheep and to restrain the owners of Rams from permitting them to run at large during a certain time of the year."

An Act to repeal certain parts of an Act, passed in the thirty-fourth year of His Majesty's Reign, entitled "An Act to establish a Superior Court of Civil and Criminal Jurisdiction, and to regulate the Court of Appeal, and to authorize His Majesty's Court of King's Bench in this Province to regulate certain Fees, Costs and Charges therein mentioned."

Mr. Speaker then said,

May it please Your Excellency to approve of the eight following Bills, which the House of Assembly, with the concurrence of the Legislative Council have passed, for aid to His Majesty.

An Act for granting to His Majesty a certain sum of money for the further encouragement of the growth and cultivation of Hemp within this Province, and the exportation thereof.

An Act to promulgate the Provincial Statutes, and also to repeal so much of an Act, passed in the forty first year of His present Majesty, as relates to printing the Journals.

An Act to explain and amend an Act, passed in the forty-third year of His Majesty's Reign, entitled "An Act for the better securing to His Majesty, His Heirs and Successors, the due collection and receipt of certain Duties therein mentioned.

An Act for granting to His Majesty a certain sum of money out of the Funds applicable to the uses of this Province, to defray the expenses of amending and repairing the Public Highways and Roads, laying out and opening New Roads, and building Bridges in the several Districts thereof.

An Act for granting to His Majesty a certain sum of money for the purposes therein mentioned.

An Act appropriating a certain sum of money annually to defray the expenses of erecting certain Public Buildings to and for the uses of this Province.

An Act for applying a certain sum of money, therein mentioned, to make good certain moneys issued and advanced by His Majesty through the Lieutenant Governor, in pursuance of an Address.

To which Bills His Excellency was also pleased to give the Royal assent in His Majesty's name.

His Excellency was pleased to withhold His Majesty's assent from the following Bill.

An Act to provide for compiling and printing all the Statutes of this Province, and to repeal part of an Act, passed in the forty-first year of the Reign of His present Majesty, relative to printing Journals.

Then His Excellency was pleased to make the following Speech to both Houses.

Honorable Gentlemen of the Legislative Council and Gentlemen of the House of Assembly.

Your zeal for the public welfare, manifested by your attention to the various subjects which I recommended to your consideration, and to the other objects which have occupied your Councils during the present Session, call for my acknowledgments; and I trust that the wise and salutary laws which have resulted from your labours and exertions will afford very considerable satisfaction to all who feel a sincere attachment to His Majesty's Person and Government, and a cordial solicitude for the increasing prosperity of this Province.

In closing the present Session, which the situation of the Public Business now enables me to do, I have to express a confident hope that prudent and salutary measures will mark the future conduct of those who may be called together in this place for the discharge of their Legislative functions. This will not fail to ensure the favor of the best of Sovereigns, will establish a claim to the esteem and approbation of all whose good opinion merits consideration, and must eventually produce the most beneficial consequences to these parts of His Majesty's Dominions.

After which, the Honorable Speaker of the Legislative Council said.

Gentlemen of the Legislative Council, and Gentlemen of the House of Assembly,—

It is His Excellency, the Lieutenant Governor's, will and pleasure that this Provincial Parliament be prorogued until Monday, the Sixteenth day of April next, to be then here held; and this Provincial Parliament is accordingly prorogued until the said Monday, the Sixteenth day of April next.

I do hereby certify that the above and what is written on the foregoing (pages) is a true copy of the Journal of the Assembly in Upper Canada, being the fourth session of the third Provincial Parliament, assembled at York on the First day of February last, agreeable to the Proclamation of His Excellency Peter Hunter, Esquire, Lieutenant Governor of Upper Canada, and Lieutenant General Commanding His Majesty's Forces in Upper and Lower Canada, and prorogued by His Excellency the 9th. day of March last.

Donald MacLean,
Clerk Assembly

Clerk of the Assembly's Office,

York, Upper Canada, 17th. April, 1804.

[Certified to be a true copy.

George Mayer,
Colonial Office, 25 August, 1853.]

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ERRATA.

Page 28, 4th line from foot, instead of: the first time, read: Read the first time.

Page 30, 13th line from top, instead of: being read the second time, read: being read, Read the second time. In 5th line from foot of same page, instead of: being read as engrossed, read: being read, Read as engrossed.

Page 32, 3rd line from top, instead of: The first time, read: Read the first time. In fifth line from foot of same page, instead of: being read the second time, read: being read, Read the second time. Similarly in line 7 from top and line 6 from foot of page 34; and in line 9 from top of page 35.

Page 73, line 11, foot, instead of: Bequests, read: Requests.

Page 162, line 18, top, instead of: Provisional, read: Provincial.

Page 166, line 19, top, instead of: Jurors, read: Juries.

Page 188, line 16, top, instead of : inkeepers, read: Innkeepers.

Page 192, line 13, top, instead of: Simcose, read: Simcoe.

Page 237, line 16, foot, instead of: Statue, read: Statute.

Page 339, line 11, foot, instead of: House District, read: Home District.

Page 370, line 12, foot, instead of: goal, read: gaol.

Page 432, line 20, top, instead of: D. M. T. Rogers, read D. McG. Rogers.

REPORT

OF THE

Librarian of the Legislative Assembly

FOR THE YEAR

1909

PRINTED BY ORDER OF
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REPORT OF THE

Librarian of the Legislative Assembly

FOR THE YEAR 1909.

To the Hon. the Speaker of the Legislative Assembly.

On September 1st, 1909, the Library was almost completely destroyed by a fire which, starting in the roof of the buildings some distance east of the Library, ate its way to the roof of the west wing. There, the lightly-constructed ceiling of the Library Annex and the hanging floor of the Annex which formed the ceiling of the Main Library, furnished ready fuel for the flames. The ceiling and floor were soon eaten through and the whole burning mass was precipitated into the Main Library. Of the 35,000 volumes which were in the Annex, not one was saved. Of the 50,000 in the Main Library about 500 were saved, all in a more or less damaged state. These were books that were kept on the shelves against the north wall of the Main Library which was on the windward side of the fire. They are nearly all valuable books, encyclopedias, dictionaries, heraldic works, quotation books and other works of reference. About three-fourths of them have been accounted worth rebinding. There were also saved from the Main Library in a condition for rebinding the first twenty years of the Toronto Globe. Also a few books were saved because, being large, they were kept close to the floor and so escaped the fiercest of the flames. Among these may be mentioned a fine copy of Holinshed's Chronicles and Sargent's Silva of North America, the latter a 12-volume book which cost $300. All the books in the Librarian's private office were saved undamaged except slightly by water. These are fine art books, bibliographical works and sets of English authors, the file of the Upper Canada Gazette, etc. In this room there were about 2,500 volumes. Another room opening east from the Main Library was damaged only by water. It contained the English ante-Judicature Act Law Reports, about 1,000 vols.; the Revised Reports; the Ruling Cases; the British Hansard, including the unprivileged Reports, about 1,200 volumes; the Camden Society papers; the Historical Manuscripts Commission Reports, The Lower Canada Journals of the Legislative Council and Assembly, the file of the Ontario Gazette, the file of the Canada Gazette since the Union, the reserve supply of the Canada and Quebec Statutes, a set of the Annual Register from the commencement, several incomplete sets of the Dominion Hansard, the British State Papers, a set of the Imperial Returns relating to Canada, the Washington Labour Bureau Reports, files of the New York Nation, the Economist, and the Investors' Review, and many hundreds of volumes of superannuated law text-books and a large number of Year Books, Almanacs, etc., etc. In this room there were altogether about 7,000 volumes. The total number saved from the fire, including about 400 in the hands of readers (some of them still in their hands), was about 10,400. Precise figures are not obtainable, partly because the Librarian and his staff have been much too busy to make an accurate count, and partly because to make an accurate count in our present cramped quarters would be a practical impossibility.

I estimate the value of the saved books at over $30,000. This estimate is based upon knowledge of the actual cost of most of them and of their present value, and assigning almost a waste paper value to most of the old law text-books.

While the fire was still burning the authorities of the University of Toronto came forward generously offering the use of No. 4, Queen's Park, as temporary quarters for the Library. The offer was thankfully accepted. The house proves to be very convenient and to be as readily adaptable for the purposes of the Library as could be expected of any private house.

Considerable progress in restoring the working part of the Library has already been made. The Librarian is glad to say that he has met with sympathy of the most practical kind from the officials of the various Governments and public bodies to whom he communicated information of the disaster. Also, he has received from a number of private citizens donations of valuable books and pamphlets, and promises of more to come when the Library is in a better condition to receive them. A list of donations is appended.

The Librarian has pleasure in reporting that many difficulties which, four months ago, appeared to be insurmountable, have been overcome or almost overcome. For instance, when the task of rebuilding the Library first had to be faced, it looked extremely improbable that a set of the Journals of the Upper Canada Council and Assembly could be gathered together at any price. He is now glad to report that he has secured nearly all of them—some by gift, and the others at an outlay much smaller than there had been reason to expect.

Also, the Librarian is pleased to report that he has obtained partly by gift and partly at an unexpectedly small outlay complete sets of the English Law Reports since the Judicature Act; the Upper Canada, Ontario, and Ontario Law Reports; the Supreme and Exchequer Courts Reports; the British Columbia, Manitoba, Alberta and Saskatchewan Reports. Also complete sets of the English and British Statutes, the Statutes of Canada and of the Canadian Provinces. Also that the reinstating of the sets of political and economic periodicals in which the old library was so rich is being carried out at much less cost than there was any reason to expect. Already, a file of the London Times reaching back for seventy years has been secured; also complete files of the Nineteenth Century, the Contemporary Review, the Fortnightly Review, Chambers' Journal, the Quarterly Review, Edinburgh Review, the Statistical Journal, Harper's, the Century, Scribner's Monthly, the Canadian Magazine, the Columbia University Studies in History, the Annals of the American Academy, the publications of the American Economic Association, the Johns Hopkins Studies in History, the Fortnightly Review, the Atlantic Monthly, the Arena, the National Review, the World's Work, the Review of Reviews, the North American Review, etc., etc.

A good beginning has been made towards the restoration of the Departments of Economics, History, and Biography. An advantageous purchase was made from the library of the late Sir Henry Strong, Chief Justice of the Supreme Court. The selection comprised 1,200 volumes, mostly of a very superior class and in excellent condition.

The Librarian has great pleasure in reporting the following gifts, and also in mentioning that in the cases of some purchases discounts so liberal as to amount to substantial gifts were allowed. Among the firms which allowed very liberal discounts should be mentioned Messrs. Smith, Elder & Co., of London, who made a most liberal allowance on the purchase of the 66-volume Dictionary of National Biography; also the Carswell Co. of Toronto, the Canada Law Book Co., the Columbia University Press, the Johns Hopkins Press, the University of Pennsylvania Press and the American Economic Association.

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The Government of Canada—About seven hundred volumes of publications, comprising Journals of House of Commons and Senate, Statutes, Reports of Departments, etc.

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The Government of Nova Scotia—Debates of the Assembly, 1887-1906; Debates of the Council, 1885-1909; Journals of the Assembly, 1853-1909; Journals of the Council, 1870-1906; Statutes, 1901-1909; Revised Statutes, 1900.

Manitoba Law Society—Manitoba Reports, 1884-1909, 18 vols.

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AVERN PARDOE, *Librarian.*

20th January, 1910.

AGREEMENT AND CONTRACT

WITH

WILLIAM BRIGGS

Book Steward of the Methodist Church

in connection with the Printing and Binding for the

LEGISLATIVE ASSEMBLY OF ONTARIO

PRINTED BY ORDER OF
THE LEGISLATIVE ASSEMBLY OF ONTARIO

TORONTO
Printed and Published by L. K. Cameron, Printer to the King's Most Excellent Majesty
1910

AGREEMENT AND CONTRACT WITH WILLIAM BRIGGS, BOOK STEWARD OF THE METHODIST CHURCH, IN CONNECTION WITH THE PRINTING AND BINDING FOR THE LEGISLATIVE ASSEMBLY OF ONTARIO.

This Agreement, made the tenth day of June, 1909, between William Briggs, of the City of Toronto, Doctor of Divinity, as Book Steward of the Methodist Church, of the First Part; and Arthur James Matheson, Provincial Treasurer, on behalf of His Majesty the King, of the Second Part.

Witnesseth, that the party of the First Part has agreed and does hereby agree with the party of the Second Part, and his successors and assigns that the party of the First Part will do and perform in a proper and workmanlike manner all the printing and binding for the service of the several departments connected with the Government of Ontario, including all the printing and binding (except as hereinafter mentioned, and except ruling, printing and binding blank books, binding newspapers and Gazettes, and rebinding for libraries), required by the Legislative Assembly, and the publication and issue of the ONTARIO GAZETTE, and will furnish all materials required therefor, except the paper on which impressions are to be printed and the necessary engravings, at the times and within the periods and upon the terms and conditions stated in the annexed specifications for and during the period of five years, to be computed from the first day of July, 1909. Provided, and it is hereby agreed, that publication in a foreign language, examination papers required by the Department of Education, and ten thousand dollars worth annually of local printing and binding required for the Government Institutions outside the City of Toronto are not to be deemed within the contract or the specifications hereunto annexed.

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It is hereby further agreed that this contract is subject to ratification by vote of the Legislative Assembly, and that the same and everything therein contained shall be void and of no effect unless the same is approved by resolution of the Assembly at its next session.

In witness whereof the parties hereto have to these presents set their hands and seals at the City of Toronto, on the day and year first above written.

Signed, sealed and delivered
in the presence of

W. C. KETTLEWELL.	WILLIAM BRIGGS, (Seal.) *Book Steward of the Methodist Church.*
C. A. MATTHEWS, *Jun.*	ARTHUR J. MATHESON, (Seal.) *Provincial Treasurer.*

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19.—Binding shall include cutting, folding, stitching, trimming, pressing and lettering in ink or gold on the back or sides, or both, as may be shown by the sample submitted or as may be ordered by the King's Printer. A volume of 40 sections shall be considered a standard volume. Volumes over 40 sections to be charged pro rata according to number of sections. Inserting single leaves, tables, plates or unfolded maps to be charged each as a section.

20.—All books shall be bound in one or two styles, viz.:—Case Binding or Library Binding. Case Binding shall mean books strongly sewn on two cords with mull and paper lining down the inside of the back. Library Binding shall mean books strongly sewn on three cords and laced in through the boards, with headband and triple hollow lining as preparation for cover. Any books imperfectly bound or deficient in material shall be perfected at the expense of the Contractor.

21.—Cutting, folding, stitching, sewing, trimming and binding in paper covers (the covers being printed), Books, Pamphlets, Departmental Reports, or any other printed matter, per volume, in quantities of:—

	Per vol. of 1 sec.	Per vol. of 2 secs.	Per vol. of 3 to 5 secs.	Per vol. of 6 to 9 secs.	Per vol. of 10 to 14 secs.	Per vol. of 15 to 20 secs.	Per vol. of 21 to 30 secs.	Per vol. of 31 to 40 secs.	Per vol. of 30 to 50 secs.	Per vol. of 51 to 75 secs.
Stitching.										
(a) 250 to 500	⅖c	⅖c	⅗c	1c	1½c	2c	3c	3½c		
(b) 501 to 1,000	⅖c	⅖c	⅗c	1c	1½c	2c	3c	3½c		
(c) 1,001 to 2,000	¼c	⅖c	½c	¾c	1⅖c	1⅞c	2¾c	3⅖c		
(d) 2,001 to 5,000	¼c	⅖c	½c	¾c	1⅖c	1⅞c	2¾c	3⅖c		
(e) 5,001 to 10,000 ...	¼c	⅖c	½c	¾c	1⅖c	1⅞c	2½c	3¼c		
(f) 10,001 to 25,000	⅕c	¼c	½c	¾c	1⅖c	1⅞c	2½c	3¼c		
(g) 25,001 to 35,000	⅕c	¼c	½c	¾c	1⅖c	1⅞c	2½c	3¼c		
Sewing.										
(h) Per 500 copies									9c	13c

22.—Stitched pamphlets where there is no paper cover; 62 per cent. of the above scale.

23.—A section shall consist of sixteen pages, except as to clauses 14 and 19.

24.—Pasting on single leaves, per leaf ....1-10c.

25.—Cutting out part of a section and inserting a new leaf or leaves in lieu thereof, per section .... 1-5c.

26.—Tables and Maps which require folding, each insertion .... 1-5c.

27.—Five copies of Bills, after third reading, for Royal Assent printed on one side of half sheet of 16 lb. white foolscap, the top fastened with parchment and ribbon. Charge to include composition, making-up, etc. Paper, press-work, parchment, ribbon, etc., per half sheet .... 20c.

28.—Royal Octavo, Full Cloth, Stiff boards, embossed sides, per vol.... 25c.

29.—Demy Octavo, Full Cloth, Stiff boards, embossed sides, per vol.... 23c.

30.—Royal Octavo, half Roan (Coloured), Cloth sides, per vol. .... 37c.

31.—Demy Octavo, half Roan (Coloured), Cloth sides, per vol. .... 35c.

32.—Royal Octavo, full Buckram, Stiff boards, embossed sides, per vol...27c.

33.—Demy Octavo, full Buckram, Stiff boards, embossed sides, per vol... 25c.

34.—Royal Octavo, English Calf or Morocco, marbled paper sides (Library Style), per vol. $1.75

35.—Demy Octavo, English Calf or Morocco, marbled paper sides (Library Style), per vol. $1.65

36.—Royal Octavo, full English Law Calf or Morocco, per vol...... $2.50

37.—Demy Octavo, full English Law Calf or Morocco, per vol....... $2.40

38.—Limp, flush, edges turned over, stamped or lettered on side in ink or gold, with blind border, in books of 144 pages:—

	Ink.	Gold.
Royal Octavo, full Cloth, per volume	15 cents.	18 cents.
“ “ “ Skiver “	30 cents.	33 cents.
“ “ “ Roan “	30 cents.	33 cents.
“ “ “ Buckram “	17 cents.	20 cents.
Demy Octavo, full Cloth, per volume	14 cents.	17 cents.
“ “ “ Skiver “	25 cents.	28 cents.
“ “ “ Roan “	25 cents.	28 cents.
“ “ “ Buckram “	15 cents.	18 cents.

FOR THE PRINTING AND BINDING IN PART II., COMPOSED OF DEPARTMENTAL REPORTS, PARLIAMENTARY RETURNS, BULLETINS, ETC.

PART II.

COMPOSITION, ETC.

1.—Book work composition shall include Departmental Reports, Parliamentary Returns, Bulletins, etc.

2.—A page of printed matter, unless otherwise specified, shall be 30 x 50 ems pica measurement. Each size of type shall be measured separately on each page and no charge to be made for blank space in any case.

3.—Composition shall be classed under two heads: plain work and tabular work. Plain work shall be understood as the matter usually contained in books and pamphlets, and shall be charged one price. Tabular work shall be measured according to the scale of the International Typographical Union now in use. All cuts inserted and worked off in the printed forms shall be reckoned as plain matter.

4.—Statutes and Bills will usually be in Small Pica; the Orders of the Day and Votes and Proceedings in Long Primer; Schedules and Forms at the end of Bills shall be in Brevier, or in such type as the King's Printer may order.

5.—Departmental Reports and Returns, Bulletins, etc., will be printed in Long Primer type, or in such other type as the King's Printer may order; extracts and figure work in Reports and Returns, etc., will be printed in Brevier type, or in such type as the King's Printer may order.

6.—Side notes shall be printed in Nonpareil type, or in any other type approved by the King's Printer. Side notes will not be more than 4 ems wide, pica measurement, unless specially ordered.

7.—Fifteen hundred pages of type shall, if required, be kept standing during the pleasure of the King's Printer, without charge. Type either in galley or page form shall not be distributed until ordered by the King's Printer. No charge shall be made for type so kept standing, but if used again on the order of the King's Printer, one-quarter of the price of new matter shall be paid for each using, which shall include making-up, etc., and alterations to the extent of 10 per cent. No charge will be allowed for night work. If alterations are ordered exceeding 10 per cent., 45c. per hour.

8.—"Fair Copy" shall be furnished by the King's Printer, and shall be set up and proof-read and corrected by the Contractor and two galley proofs of same after corrections are made, and also of a further revised proof if necessary shall be promptly furnished to the King's Printer free of charge. Two copies of a revised proof made up in page form shall be furnished free of charge, if required. Subsequent proofs rendered necessary by failure of the Contractor to make corrections shall not be charged for. Additions made after first setting shall be measured as for original matter, but this shall not refer to Bills, the recasting and resetting of which is elsewhere provided for.

9.—Composition for Bills shall be charged once only, but the matter shall be kept standing until permission to distribute is given by the King's Printer. In the case of alterations in Bills, the proof of the Bill showing the alterations made, with the time spent thereon marked in red ink, shall be returned to the King's Printer along with the proof as corrected. The time to be allowed for alterations shall in each case be certified by the King's Printer, and the rate of payment for such alterations shall be 45 cents per hour. Every reprint of the Bills, and the recasting of the Bills for Statutes, shall be charged one-quarter of the price of new matter, which shall include making-up, etc., and alterations to the extent of 10 per cent. Two galley proofs, etc., to be furnished free of charge as in Sec. 8. No charge will be allowed for night work.

10.—Composition per 1,000 ems, 48 cents.

11.—Alterations per hour, 45 cents.

12.—Proofs per galley in excess of number required free under Sections 8 and 9, 10 cents.

PRESS WORK.

13.—Press work shall be reckoned in tokens of 250 impressions each. A form shall consist of not more than sixteen pages. No charge will be allowed for night work, locking-up, making ready, or for keeping presses standing for return of proof. Good book ink shall be used.

14.—Two, three, five, six or seven pages of matter, being a section of any volume of the Statutes, Votes or Journals, or of any Report, Book or Pamphlet, etc., shall be worked—two or three as a section of four—and five, six or seven as a section of eight pages, unless otherwise ordered.

15.—Press-work, per token, black ink, 25 cents.

16.—Press-work, per token, coloured ink, 30 cents.

17.—Press-work, per token, coated paper, 30 cents.

18.—Allowance for waste to include proof paper, to be 2 per cent.

BINDING DEPARTMENTAL REPORTS, PARLIAMENTARY RETURNS, BULLETINS, ETC.

19.—Binding shall include cutting, folding, stitching, trimming, pressing and lettering in ink or gold on the back or sides, or both, as may be shown by the sample submitted or as may be ordered by the King's Printer. A volume of 40 sections shall be considered a standard volume. Volumes over 40 sections to be charged pro rata according to number of sections. Inserting single leaves, tables, plates or unfolded maps to be charged each as a section.

20.—All books shall be bound in one or two styles, viz.:—Case Binding or Library Binding. Case Binding shall mean books strongly sewn on two cords with mull and paper lining down the inside of the back. Library Binding shall mean books strongly sewn on three cords and laced in through the boards, with headband and triple hollow lining as preparation for cover. Any books imperfectly bound or deficient in material shall be perfected at the expense of the Contractor.

21.—Cutting, folding, stitching, sewing, trimming and binding in paper covers (the covers being printed), Books, Pamphlets, Departmental Reports, or any other printed matter, per volume, in quantities of:—

	Per vol. of 1 sec.	Per vol. of 2 secs.	Per vol. of 3 to 5 secs.	Per vol. of 6 to 9 secs.	Per vol. of 10 to 14 secs.	Per vol. of 15 to 20 secs.	Per vol. of 21 to 30 secs.	Per vol. of 31 to 40 secs.	Per vol. of 30 to 50 secs.	Per vol. of 51 to 75 secs.
Stitching.										
(a) 250 to 500	⅖c	⅖c	⅗c	1c	1½c	2c	3c	3½c		
(b) 501 to 1,000	⅖c	⅖c	⅗c	1c	1½c	2c	3c	3½c		
(c) 1,001 to 2,000	¼c	⅖c	⅓c	¾c	1⅖c	1⅞c	2¾c	3⅖c		
(d) 2,001 to 5,000	¼c	⅖c	½c	¾c	1⅖c	1⅞c	2¾c	3⅖c		
(e) 5,001 to 10,000 ...	¼c	⅖c	½c	¾c	1⅖c	1⅞c	2½c	3¼c		
(f) 10,001 to 25,000	⅕c	¼c	½c	¾c	1⅖c	1⅞c	2½c	3¼c		
(g) 25,001 to 35,000	⅕c	¼c	½c	¾c	1⅖c	1⅞c	2½c	3¼c		
Sewing.										
(h) Per 500 copies									9	13c

22.—Stitched pamphlets where there is no paper cover, 62 per cent. of the above scale.

23.—A section shall consist of sixteen pages, except as to clauses 14 and 19.

24.—Pasting on single leaves, per leaf ....1-10c.

25.—Cutting out part of a section and inserting a new leaf or leaves in lieu thereof, per section .... 1-5c.

26.—Tables and Maps which require folding, each insertion .... 1-5c.

27.—Five copies of Bills, after third reading, for Royal Assent printed on one side of half sheet of 16 lb. white foolscap, the top fastened with parchment and ribbon. Charge to include composition, making-up, etc. Paper, press-work, parchment, ribbon, etc., per half sheet .... 20c.

28.—Royal Octavo, Full Cloth, Stiff boards, embossed sides, per vol.... 25c.

29.—Demy Octavo, Full Cloth, Stiff boards, embossed sides, per vol.... 23c.

30.—Royal Octavo, half Roan (Coloured), Cloth sides, per vol. .... 37c.

31.—Demy Octavo, half Roan (Coloured), Cloth sides, per vol. .... 35c.

32.—Royal Octavo, full Buckram, Stiff boards, embossed sides, per vol.. 27c.

33.—Demy Octavo, full Buckram, Stiff boards, embossed sides, per vol... 25c.

34.—Royal Octavo, English Calf or Morocco, marbled paper sides (Library Style), per vol. $1.75

35.—Demy Octavo, English Calf or Morocco, marbled paper sides (Library Style), per vol. $1.65

36.—Royal Octavo, full English Law Calf or Morocco, per vol...... $2.50

37.—Demy Octavo, full English Law Calf or Morocco, per vol....... $2.40

38.—Limp, flush, edges turned over, stamped or lettered on side in ink or gold, with blind border, in books of 144 pages:—

	Ink.	Gold.
Royal Octavo, full Cloth, per volume	15 cents.	18 cents.
" " " Skiver "	30 cents.	33 cents.
" " " Roan "	30 cents.	33 cents.
" " " Buckram "	17 cents.	20 cents.
Demy Octavo, full Cloth, per volume	14 cents.	17 cents.
" " " Skiver "	25 cents.	28 cents.
" " " Roan "	25 cents.	28 cents.
" " " Buckram "	15 cents.	18 cents.

PART III.—THE ONTARIO OFFICIAL GAZETTE.

1.—The Ontario Official Gazette to be printed on quad cap paper, in Brevier type, and to measure 5,000 ems to page for plain matter. Tabular work shall be measured according to the scale of the International Typographical Union now in use. The King's Printer to supply the paper.

2.—Where matter is used more than once, composition to be charged once only. No allowance to be made for night work, making up, locking up, making ready, etc., or for keeping the press standing for return of proof.

3.—The Contractor will keep a register of all the advertisements, indicating the date when received, the party from whom received, the date of first insertion, the number of lines and the number of times inserted, and will carefully preserve the vouchers for each transaction.

4.—The Contractor to collect in advance all charges for advertisements and subscriptions according to the scale which will be furnished him, and the Contractor will render a monthly account of his cash receipts to the King's Printer. When the said account is checked by the King's Printer the Contractor shall pay over the amount due from him forthwith by accepted cheque in favor of the Treasurer of Ontario. The Contractor will be held liable for any loss by departure from the rule to collect in advance.

5.—The Contractor shall complete the Gazette, whatever size it shall be, every Saturday, and have it delivered or posted not later than the following Monday, except under special instructions.

6.—" Fair Copy " shall be furnished and shall be set up and proof-read and corrected by the Contractor, and ten galley proofs of a revised proof shall be promptly furnished to the King's Printer free of charge. Two copies of a revised proof made up in page form shall also be furnished free of charge, if required. Subsequent proofs rendered necessary by failure of the Contractor to make corrections, shall not be charged for. Additions made after first setting shall be measured as for original matter. No charge will be allowed for standing matter.

7.—Composition—Tabular work, changes, standing matter, etc.. to be subject to the same rules as above prescribed—per one thousand ems.............. 40c.

8.—Press-work, per token of 250 impressions, good black ink.......... 30c.

9.—Proofs—per galley in excess of number required free .... 10c.

10.—Binding to include cutting, folding and stitching, per section of eight pages or under, per thousand copies $1.00

11.—Wrapping, addressing, mailing or delivering, as may be directed by the King's Printer, per thousand copies $2.25

12.—Allowance for keeping accounts, advertisements and subscriptions in Official Gazette, percentage on money collected, per cent. 2

13.—Allowance for waste to include proof paper, 2 per cent.

FOR THE PRINTING AND BINDING IN PART IV., COMPOSED OF JOB WORK, DEPARTMENTAL CIRCULARS, PAMPHLETS, FORMS, ETC.

PART IV.—JOB WORK.—DEPARTMENTAL CIRCULARS, PAMPHLETS, FORMS, ETC.

1.—Any order for Printing that would come under the general category of job printing rather than book printing, shall be included under this head.

2.—The Contractor shall select the style of type to be used and arrange the matter in size of type, etc., to the satisfaction of the King's Printer. No type smaller than Brevier shall be used in any circular or form without the written approval of the King's Printer. Where a specific article is mentioned the price shall mean the price for the finished article, including paper, etc., as School Registers, Poll Books, etc. The King's Printer will supply the stock where not otherwise specified.

3.—The total charge for composition, making up, locking up forms, etc., to be for a minimum of 1,000 ems. If the total measurement of all the type used in any form is more than 1,000 ems, each size type is to be measured and to be paid for at the contract rate per 1,000 ems.

4.—Tabular work shall be measured according to the scale of the International Typographical Union now in use.

5.—All Circulars shall be stitched with one or two stitches as may be ordered.

6.—Where specific articles are to be printed or old forms followed, the Contractor shall be guided with respect to the character of the work by the samples submitted by the King's Printer, subject to such variations as the King's Printer may order.

7.—Where electros, stereos, or other plates, are supplied by the King's Printer, no charges shall be allowed except for locking up and press work, unless when used with type matter, when plates will measure as plain matter in largest size of type used in forms.

8.—" Fair Copy " shall be furnished by the King's Printer, and shall be set up and proof-read and corrected by the Contractor, and two galley proofs of a revised proof shall be promptly furnished to the King's Printer free of charge. Two copies of a further revised proof in page form shall be furnished free of charge if required. Subsequent proofs rendered necessary by failure of the Contractor to make corrections shall not be charged for. Additions or alterations made after first setting shall be measured as for original matter. No charge will be allowed for night work.

9.—Cutting, stitching, trimming, and binding in paper covers, the covers being printed, Departmental Circulars, Pamphlets, Forms, etc., or any other printed matter not otherwise specified, per volume, in quantities of:—

	Per vol. of 1 sec.	Per vol. of 2 secs.	Per vol. of 3 to 5 secs.	Per vol. of 6 to 9 secs.
(a) 250 to 500	$\frac{1}{3}$c	$\frac{1}{3}$c	$\frac{2}{5}$c	$\frac{3}{4}$c
(b) 501 to 1,000	$\frac{1}{3}$c	$\frac{1}{3}$c	$\frac{2}{5}$c	$\frac{3}{4}$c
(c) 1,001 to 2,000	$\frac{1}{5}$c	$\frac{1}{4}$c	$\frac{1}{3}$c	$\frac{3}{5}$c
(d) 2,001 to 5,000	$\frac{1}{5}$c	$\frac{1}{4}$c	$\frac{1}{3}$c	$\frac{3}{5}$c
(e) 5,001 to 10,000				
(f) 10,001 to 25,000				
(g) 25,001 to 35,000				

10.—Where there is no paper cover, 62 per cent. of the above scale.

11.—Note.—A section shall consist of sixteen pages, except as to Clauses 13 and 16.

12.—Cutting out part of Section and inserting a new leaf or leaves in lieu thereof, per section .... 1-5c.

13.—Inserting single leaves, tables, plates, or unfolded maps, to be charged each as a section.

14.—Tables and Maps which require folding, each insertion .... 1-5c.

PRESS-WORK, ETC.

15.—Press work shall be reckoned in tokens of 250 impressions each. A form shall consist of not more than sixteen pages. No charge shall be allowed for night work, making-up, locking-up, making ready, or for keeping the press standing for return of proofs. Stock may be run two-on, four-on, or in any way ordered by the King's Printer. Good book ink shall be used.

16.—Two, three, five, six or seven pages of matter, being a section of any circular, pamphlet, etc., shall be worked, two or three as a section of four pages, and five, six, seven as a section of 8 pages, unless otherwise ordered.

17.—Press-work, per token, black ink on paper, cotton or parchment.....18c.

18.—Press-work, per token, coloured ink .... 20c.

19.—Press-work, per token, on coated paper .... 20c.

20.—Allowance for waste to include proof paper, to be 2 per cent.

21.—Composition per 1,000 ems .... 38c.

22.—Proofs per galley in excess of number required free .... 10c.

23.—Locking-up plates or blocks per form of 16 pages $1.50

24.—Locking-up single pages of type or forms set by Contractor for Stereotyping or Electrotyping .... 20c.

25.—Public School Registers, complete, including paper, etc., per 1,000, $55.00

26.—High School Registers, complete, including paper, etc., per 100....$7.00

27.—Pollbooks, complete, including paper, etc., per 500 ....$40.00

28.—Folding (other than binding), per 1,000 folds .... 16c.

29.—Numbering, per 500 .... 15c.

30.—Perforating, per 500 .... 15c.

31.—Scoring, per 500 .... 30c.

32.—Padding, with stiffback, stitched at head and perforated, per pad... 4c.

33.—Padding, with stiffback, gummed at head or side, per pad........ 2½c.

34.—Cutting to size, per ream .... 15c.

35.—Putting on seals, per 500 .... $1.00

36.—Eyeleting, per 500 eyelets .... 50c.

37.—Eyeleting and reinforcing with cloth or card, per 500 eyelets..... $1.50

38.—Punching sheets for Loose Leaf Binding, per hole, per 500........ 15c.

39.—Crimping sheets for Loose Leaf Binding, per 500 sheets......... $1.00

40.—Reinforcing sheets for Loose Leaf Binding, per 100 sheets $1.75

41.—Gumming wrappers, and cutting corners, etc., of same, per 500... $1.25

42.—Wrapping pamphlets, etc. (no charge for gumming or tying), per 500, 60c.

43.—Bronzing, any colour, per 1,000 .... $2.00

44.—Embossing on printed form or heading, any colour, per 1,000.... $1.25

RULING.

45.—Down-lining double heads with not more than 1 inch space between, and without lift, to be considered one run; and cross lines in alignment, one run to sheet; stock may be run 2-on, or in any way ordered by the King's Printer. For each run of the machine in any number of colours required on the page and in one direction, both sides if necessary, per run, per ream of 500 sheets .... 70c.

GENERAL CONDITIONS.

1.—The Contractors will do press-work in respect of stereotypes, engravings, or other plates supplied by the King's Printer, or on his behalf, charging only for time occupied in imposing such plates and press-work at the rate herein tendered for.

2.—Paper will be supplied by the King's Printer, except where otherwise mentioned.

3.—The Contractors shall without charge for conveyance or messengers send to the order of the King's Printer for copy, proofs, material, books, etc., as often as the King's Printer may require, not exceeding twice daily—except in the case of Bills, etc., required for the sessions of the Legislative Assembly—and shall give receipts, and thereafter be responsible for same except through loss by fire.

4.—The Journals and Sessional papers shall be completed and placed in the office of the King's Printer within two months after the close of each session. The Statutes to take precedence and be finished for distribution within thirty days of the close of the Session.

5.—All proofs, books and printed matter shall be delivered at the several offices in such a manner as may be directed by the King's Printer, without charge for parcelling or delivery. One sample of all work shall be rendered to the King's Printer with a receipted delivery slip, and an endorsement of charges detailed on the sample, and he shall examine and approve of such before he certifies payment thereof.

6.—Accounts shall be rendered monthly to the King's Printer, and payment made monthly from the Provincial Treasury for all work, excepting that pertaining to the Sessional work of the Legislative Assembly, from which 20 per cent. shall be withheld till the work pertaining to the Session has been satisfactorily completed.

7.—The Contractors shall perform the work in a workmanlike manner, to the satisfaction of the King's Printer, and should the work fall short of the requirements of the King's Printer, the right is reserved to have it performed elsewhere, deducting from the account the difference, if any, in cost. No extra charge will be allowed for night work, pressure of work, or for delay of copy or proofs.

8.—Should any Contractor fail to carry on his contract satisfactorily, the King's Printer may give him written notice of the defects and failures which have been made and require said Contractor forthwith to remedy the same. In the event of such defects and failures not being remedied within seven days from date of notice, the Government may cancel the contract.

9.—In all matters relating to the contracts, the Contractors shall be subject to the direction of the King's Printer. Provided, however, that the Contractors may appeal from any ruling of the King's Printer to the Executive Council whose decision on the points of dispute shall be final.

10.—Any work required by the Government or Departments, the character of which is not closely defined in these specifications, must be submitted to the King's Printer, and a price settled in writing before the work is commenced. When the price cannot be agreed upon, the King's Printer may order the work done elsewhere if a lower charge is obtainable.

11.—Tenderers may ascertain the approximate quantities of composition and press-work for the Votes and Proceedings, the Journals of the House, the Bills, Statutes, Reports, etc., by a perusal of the aforesaid documents at the office of the King's Printer, who shall submit the same for their investigation, covering the last preceding three years, if required.

12.—Approximate quantities of all work can also be ascertained from the King's Printer, who will exhibit forms, etc., of last year. The Government does not guarantee that a similar number of forms, etc., will be printed under any contract which may be made with the tenderer. The forms, etc., are submitted to indicate the style of work to be done, and as far as practicable for the tenderer to ascertain from such forms, etc., an estimate of the amount required by the Government and Legislature.

13.—These specifications are meant and understood to cover all of the public printing, binding, etc., of the Government and Legislature of the Province of Ontario, as well as the Departments thereof; excepting the printing of envelopes, publication in a foreign language, examination papers required by the Education Department, repairing done in Government Libraries, and binding done outside of Toronto for the Government Libraries; and also ten thousand dollars' worth annually of local printing and binding required for Government Institutions outside of Toronto.

14.—Good and sufficient security in the sum of five thousand dollars ($5,000) must be furnished by the Contractors for the due fulfilment of the contracts under Parts I. and II.; and in the sum of two thousand five hundred dollars ($2,500), for the due fulfilment of the contracts under Parts III. and IV. The contract must not be sublet, assigned or sold. The Union rate of wages in force at the date of this contract must be paid by the contractor.

Know all men by these presents, that we John R. Barber, Georgetown, Manufacturer, James Dale, Toronto, Esquire, and William T. Merry, Toronto, Esquire, are jointly and severally bound unto Arthur James Matheson, Provincial Treasurer, his successors and assigns on behalf of our Sovereign Lord the King and his successors, in the penal sum of $15,000 to be paid to the said Arthur James Matheson on behalf of our Sovereign Lord the King and his successors, for which payment well and truly to be made, we jointly and severally bind ourselves, our heirs, executors, and administrators firmly by these premises.

Sealed with our seals and dated this tenth day of June, 1909.

The condition of this obligation is such that if William Briggs, as Book Steward of the Methodist Church, and his successors shall faithfully and truly perform and observe in and by a certain contract for the performing of certain printing and binding made at the City of Toronto, and bearing date the tenth day of June, 1909, between the said William Briggs, of the first part, and the said Arthur James Matheson, of the other part, and hereunto annexed and shall do and perform all the work and furnish all the materials mentioned and referred to in the said contract and the specifications thereunto annexed in accordance with the terms of the said contract, then this obligation shall be void, otherwise to remain in full force and effect.

Signed, sealed and delivered
in the presence of

W. C. Kettlewell.

JOHN R. BARBER.
JAMES DALE.
W. T. MERRY.

Agreement and Contract

WITH

E. H. HARCOURT COMPANY, LIMITED

In connection with the Binding etc., for the
Legislative Assembly of Ontario

PRINTED BY ORDER OF
THE LEGISLATIVE ASSEMBLY OF ONTARIO

TORONTO:
Printed and Published by L. K. CAMERON, Printer to the King's Most Excellent Majesty
1910

Printed by
WILLIAM BRIGGS,
29-37 Richmond Street West,
TORONTO.

AGREEMENT AND CONTRACT

WITH

E. H. HARCOURT COMPANY, LIMITED

In connection with the Binding, etc., for the Legislative Assembly of Ontario.

This Agreement, made the Twenty-fourth day of June, 1909, between E. H. Harcourt Company, Limited, of the City of Toronto, of the First Part, and Arthur James Matheson, Provincial Treasurer, on behalf of His Majesty the King, of the Second Part.

Witnesseth that the party of the First Part has agreed and does hereby agree with the party of the Second Part and His successors and assigns that the party of the First Part will do and perform in a proper and workmanlike manner all the ruling, printing and binding, and binding blank books, newspapers and Gazettes, and rebinding for libraries for the service of the several Departments connected with the Government of Ontario (except as hereinafter mentioned) required by the Legislative Assembly, and will furnish all materials required therefor, except the paper on which impressions are to be printed, at the times and within the periods and upon the terms and conditions stated in the annexed specifications for and during the period of five years, to be computed from the first day of July, 1909. Provided and it is hereby agreed that ten thousand dollars worth annually of local printing and binding required for the Government institutions outside the City of Toronto are not to be deemed within the contract or the specifications hereunto annexed.

The party of the First Part agrees in all things to conform to, fulfil and abide by the said specifications to the full and entire satisfaction of the King's Printer for Ontario for the time being.

The party of the Second Part for himself and his successors has promised and agreed and does hereby promise and agree to cause all the said work at the respective Departments, saving and excepting the exceptions hereinbefore mentioned, to be given to the party of the First Part, and to pay for the same at the prices and in the manner and at the times as near as conveniently may be, and according to the terms and conditions in the said specifications mentioned. Provided that where a large amount of work is to be done within a limited period, and it is in the opinion of the King's Printer impracticable for the party of the First Part to accomplish such work within such period, the party of the Second Part may cause to be done elsewhere so much of the said work as the King's Printer shall, after due enquiry, report that on account of such inability the public interest requires that it should be done elsewhere.

It is hereby further agreed that if the Lieutenant-Governor-in-Council shall be of opinion that the work to be performed under this contract is not being performed in a proper manner and with due despatch, and that it is expedient in the public interest that this contract shall be cancelled, he may, by Order-in-Council, terminate the same; and from the day named in such Order-in-Council, this agreement shall so far as any provision therein contained binds His Majesty, be determined; but such determination shall not bar the right of His Majesty or of the party of the Second Part to recover damages for any breach thereof theretofore committed by the party of the First Part, or for any expense beyond such contract prices which His Majesty or the party of the Second Part may be put to in having the work covered by the said contract thereafter done and performed.

The party of the First Part also agrees to establish and keep up convenient means of telephonic communication between their printing and binding establishment or establishments and the Departments of the Government by means of the central office at Toronto.

It is further distinctly agreed that no work shall be paid for until the proper vouchers and accounts in the forms settled by the King's Printer are furnished.

It is also expressly agreed that if the party of the First Part takes the benefit of any Act in force respecting bankrupts or insolvents, or shall make a general assignment for the benefit of creditors, or an order for winding up of the party of the First Part is made, or if the printing or binding plant of the party of the First Part, or any considerable part thereof, is taken in execution, the Lieutenant-Governor-in-Council may terminate this contract and relet the work to be done thereunder or any part thereof, and the party of the First Part and their sureties shall remain liable for any increased price occasioned thereby.

It is hereby further agreed that this contract is subject to ratification by vote of the Legislative Assembly, and that the same and everything therein contained shall be void and of no effect unless the same is approved by resolution of the Assembly at its next Session.

In witness whereof the parties hereto have to these presents set their hands and seals at the City of Toronto, on the day and year first above written.

Signed, sealed and delivered
in the presence of

(Seal.) (Signed)

C. A. Matthews, *Jun.*

E. H. HARCOURT,
President.

THOS. CHAPMAN,
Secretary.

(Seal.)

A. J. MATHESON,
Provincial Treasurer.

PART V.—RULING, PRINTING AND BINDING BLANK BOOKS, ETC.

Books, such as Indices, Minute Books, etc., usually carried in general stock, will not be included in this tender.

The price to include composition up to three thousand ems, ruling one or two runs, press work, lettering backs and sides, paging, etc., to properly finish work. If the total measurement of all the type used is more than 3000 ems, in any book, each size of type to be measured and paid for at contract rate per thousand over and above the 3000 ems exempt. If the ruling is more than 2 runs the extra runs to be paid for at contract rate ; the King's Printer to supply the paper.

All books must be hand sewn ; books under Secs. 1, 2, 3 and 4 to be marbled edges, and the boards must be split millboards.

The boards to be used in all other books except Loose Leaf books to be millboards.

	Foolscap	Foolscap 4to	Demy	Demy 4to	Post or Medium	Post or Medium 4to	Royal	Royal 4to	Double Foolscap	Super Royal	Super Royal 4to	Imperial	Double Demy	Double Medium or Double Royal
1—Full Rough English Calf, Russia bands and corners, lacing, loose back, flat opening, round corners, 5 up to 12 quires	$1 00	$ 75	$3 00	$1 75	$7 25	$2 50	$7 50	$2 75	$8 00	$8 00	$3 50	$8 50	$8 00	$8 00
2—Full Rough English Calf, plain, loose back, flat opening, round corners, 5 up to 12 quires	1 50	1 00	4 00	1 50	6 25	2 00	7 25	2 50	8 00	8 00	4 00	8 50	8 00	8 00
3—Half Russia or Rough English Calf, cloth sides, loose back, round corners, 5 up to 12 quires	2 25	75	3 50	1 00	5 75	1 75	6 25	2 00	8 50	8 50	2 50	8 75	8 75	8 75
4—Full Roan, neatly finished, loose back, round corners, 5 up to 12 quires	1 25	75	2 00	1 00	3 50	1 25	4 00	1 75	4 50	4 50	2 00	5 00	5 00	5 00
5—Full Skiver or Roan, neatly finished, 3 quires and under	2 00	50	2 25	1 00	2 25	1 50	75	50	75	75	50	75	1 75	75
6—Half Roan, cloth sides, neatly finished, loose back, 5 up to 12 quires	2 50	50	2 75	75	2 75	1 00	1 00	50	1 00	1 00	50	1 00	1 00	1 00
7—Half Skiver, cloth sides, under 5 quires	2 00	50	2 00	50	2 25	50	75	50	75	75	50	1 00	1 00	1 00
8—Half Skiver back, or Quarto cloth, paper sides, turned in, 3 quires and under	50	25	50	25	50	25	50	50	2 25	1 00	75	1 00	1 00	1 00
9—Stitched cloth backs and cloth lining, marbled paper sides	25	20	25	20	30	25	30	25	50	50	50	50	50	50
10—Quarter Bound, cut flush, paper pasted on, cloth back	25	15	25	15	25	20	25	20	30	30	30	30	30	30
11—Limp Cloth, paper pasted on	15	10	15	10	15	15	15	15	15	15	15	15	15	15
12—Indexing, cutting and lettering, cloth tabs	75	50	75	50	1 75	50	75	50	1 00	1 00	50	1 00	1 00	1 00
13—Indexing, cutting and lettering, leather tabs	1 00	75	1 00	75	1 00	75	1 10	75	1 25	1 50	75	1 50	1 50	1 50
14—Loose Red Bazil Covers and lettered	1 50	50	1 50	50	2 50	1 00	3 00	1 00	3 00	3 00	1 00	3 00	3 00	3 00
15—Sewn Canvas Covers and lettered	90	75	1 25	85	1 50	90	1 50	90	1 60	1 60	1 00	1 75	1 75	1 75
16—Extra Labels, or re-lettering for side or back, each	15	15	15	15	15	15	15	15	15	15	15	15	15	15
17—Loose Leaf Current Ledgers, extension posts, etc., complete	6 25	5 00	6 50	5 50	7 50	6 00	7 75	6 25	7 75	7 75	6 25	8 00	8 75	8 75
18—Loose Leaf Binders, full canvas, extension posts, etc., complete	2 90	2 10	3 20	2 60	3 60	2 80	3 80	2 80	3 65	3 80	2 80	4 00	4 25	4 25
19—Transfer Binders, half-bound, extension posts, etc., complete	3 50	2 60	4 00	3 25	4 50	3 60	4 75	3 50	4 60	4 75	3 50	5 00	5 25	5 25
20—Punching, per 500 holes, for loose leaf binders	25	25	25	25	25	25	25	25	35	35	25	35	35	35
21—Crimping, per 500 sheets, for loose leaf binders	50	50	50	50	50	50	50	50	50	50	50	50	50	50
22—Reinforcing with cloth, 100 sheets, for loose leaf binders	35	35	35	35	35	35	35	35	35	35	35	35	35	35
23—Perforating, one way, per 500 sheets	25	25	25	25	25	25	25	25	25	25	25	25	25	25
24—Numbering, per 500 numbers	15	15	15	15	15	15	15	15	15	15	15	15	15	15

25.—Composition—Box-heads to measure double in size of type used; headlines and intervening spaces to measure single in pica, per thousand ems, in excess of amount required free, per thousand .... 50c.

26.—"Fair Copy" shall be furnished by the King's Printer, and shall be set up and proof-read and corrected by the Contractor, and two galley proofs of a revised proof, and a proof of the ruling shall be promptly furnished to the King's Printer free of charge. Two copies of a further revised proof shall be furnished free of charge, if required. Subsequent proofs rendered necessary by the failure of the Contractor to make corrections shall not be charged for. Additions made after first setting shall be measured as for original matter.

27.—Proofs per galley in excess of number required free.............. 15c.

28.—Ruling, down-lining double-heads with not more than one inch space between and without lift to be considered one run; and cross-lines in alignment one run to sheet. Stock may be run two-on, or in any way ordered by the King's Printer; for each run of the machine in any number of colours required on the page and in one direction, per run, per ream of 500 sheets, both sides, in excess of number required free .... 70c.

Allowance made for waste, to include proof paper, to be 2 per cent.

BINDING NEWSPAPERS AND GAZETTES.

29.—Binding Gazettes, half English law calf, marbled paper sides, raised bands, sewn on three cords and laced in through the boards, head-bands, and triple hollow lining, lettered on back in gold without regard to number of pages or sections, per vol. $2 00

30.—Newspapers without regard to number of pages or sections, half-bound, best cowhide, cloth sides on extra thick boards, tight back, 6 cords, lettered on back in gold, per vol. $2 00

REBINDING FOR LIBRARIES.

31.—A volume of 1,000 pages consisting of reports, pamphlets, or magazines, or the rebinding of an old book, shall be the standard on which estimates for rebinding shall be based of the sizes following:

Full cloth, stiff boards, embossed sides, lettered in gold—	
Octavo, per vol.	70c.
Quarto, per vol.	80c.
Folio, per vol.	90c.
Full Buckram, stiff boards, embossed sides, lettered in gold—	
Octavo, per vol.	75c.
Quarto, per vol.	85c.
Folio, per vol.	95c.

Half Roan (coloured), cloth sides, lettered in gold—

Octavo, per vol.	$1 00
Quarto, per vol.	$1 25
Folio, per vol.	$1 50

English Calf, Morocco, etc., Library style, marbled paper sides, lettered in gold—

Octavo, per vol.	$1 50
Quarto, per vol.	$1 50
Folio, per vol.	$1 75

32.—Additional charge, where the number of pages exceeds 1,000, per hundred pages .... 15c.

GENERAL CONDITIONS.

1.—The Contractors will do press work in respect of stereotypes, engravings, or other plates supplied by the King's Printer, or on his behalf, charging only for time occupied in imposing such plates and press work at the rate herein tendered for.

2.—Paper will be supplied by the King's Printer, except where otherwise mentioned.

3.—The Contractors shall without charge for conveyance or messengers send to the order of the King's Printer for copy, proofs, material, books, etc., as often as the King's Printer may require, not exceeding twice daily—except in the case of Bills, etc., required for the sessions of the Legislative Assembly—and shall give receipts, and thereafter be responsible for same except through loss by fire.

4.—The Journals and Sessional papers shall be completed and placed in the office of the King's Printer within two months after the close of each session. The Statutes to take precedence and be finished for distribution within thirty days of the close of the Session.

5.—All proofs, books and printed matter shall be delivered at the several offices in such a manner as may be directed by the King's Printer, without charge for parcelling or delivery. One sample of all work shall be rendered to the King's Printer with a receipted delivery slip, and an endorsement of charges detailed on the sample, and he shall examine and approve of such before he certifies payment thereof.

6.—Accounts shall be rendered monthly to the King's Printer, and payment made monthly from the Provincial Treasury for all work, excepting that pertaining to the Sessional work of the Legislative Assembly, from which 20 per cent. shall be withheld till the work pertaining to the Session has been satisfactorily completed.

7.—The Contractors shall perform the work in a workmanlike manner, to the satisfaction of the King's Printer, and should the work fall short of the requirements of the King's Printer, the right is reserved to have it performed elsewhere, deducting from the account the difference, if any, in cost. No extra charge will be allowed for night work, pressure of work, or for delay of copy or proofs.

8.—Should any Contractor fail to carry on his contract satisfactorily, the King's Printer may give him written notice of the defects and failures which have been made, and require said Contractor forthwith to remedy the same. In the event of such defects and failures not being remedied within seven days from date of notice, the Government may cancel the contract.

9.—In all matters relating to the contracts, the Contractors shall be subject to the direction of the King's Printer. Provided, however, that the Contractors may appeal from any ruling of the King's Printer to the Executive Council, whose decision on the points of dispute shall be final.

10.—Any work required by the Government or Departments, the character of which is not closely defined in these specifications, must be submitted to the King's Printer, and a price settled in writing before the work is commenced. When the price cannot be agreed upon, the King's Printer may order the work done elsewhere if a lower charge is obtainable.

11.—Tenderers may ascertain the approximate quantities of composition and press work for the Votes and Proceedings, the Journals of the House, the Bills, Statutes, Reports, etc., by a perusal of the aforesaid documents at the office of the King's Printer, who shall submit the same for their investigation, covering the last preceding three years, if required.

12.—Approximate quantities of all work can also be ascertained from the King's Printer, who will exhibit forms, etc., of last year. The Government does not guarantee that a similar number of forms, etc., will be printed under any contract which may be made with the tenderer. The forms, etc., are submitted to indicate the style of work to be done, and as far as practicable for the tenderer to ascertain from such forms, etc., an estimate of the amount required by the Government and Legislature.

13.—These specifications are meant and understood to cover all of the public printing, binding, etc., of the Government and Legislature of the Province of Ontario, as well as the Departments thereof; excepting the printing of envelopes, publication in a foreign language, examination papers required by the Education Department, repairing done in Government Libraries, and binding done outside of Toronto for the Government Libraries; and also ten thousand dollars' worth annually of local printing and binding required for Government Institutions outside of Toronto.

14. Good and sufficient security must be furnished by the Contractors in the sum of two thousand five hundred dollars ($2,500), for the due fulfilment of the contract under Part V. The contract must not be sublet, assigned or sold. The Union rate of wages in force at the date of this contract must be paid by the Contractor.

Know all men by these presents that I, Ellen Maria Harcourt, of the City of Toronto, married woman, am bound unto the Honourable Arthur James Matheson, Provincial Treasurer, and his successors and assigns, on behalf of Our Sovereign Lord the King and his successors, in the penal sum of $2,500, to be paid to the said Arthur James Matheson, his successors and assigns, for Our Sovereign Lord the King and his successors, for which payment, well and truly to be made, I bind myself, my heirs, executors and administrators firmly by these presents.

Sealed with my seal and dated this twenty-fourth day of June, 1909.

The condition of this obligation is such that if E. H. Harcourt Co., Limited, shall faithfully and truly perform and observe in and by a certain contract for the performing of certain printing and binding made at the City of Toronto, and bearing date the twenty-fourth day of June, 1909, between the said E. H. Harcourt Co., Limited, of the First Part, and the said Arthur James Matheson, on behalf of His Majesty the King, of the other part, and hereunto annexed, and shall do and perform all the work and furnish the materials mentioned and referred to in the said contract, and the specifications thereunto annexed in accordance with the terms of the said contract, then this obligation shall be void, otherwise to remain in full force and effect.

Signed, sealed and delivered
in the presence of

(Signed) ELLEN M. HARCOURT (Seal).

(Signed) HOWARD BRECHIN.

REPORT

OF THE

MILK COMMISSION

Appointed to Enquire into the Production, Care and
Distribution of Milk

1909

PRINTED BY ORDER OF
THE LEGISLATIVE ASSEMBLY OF ONTARIO

TORONTO
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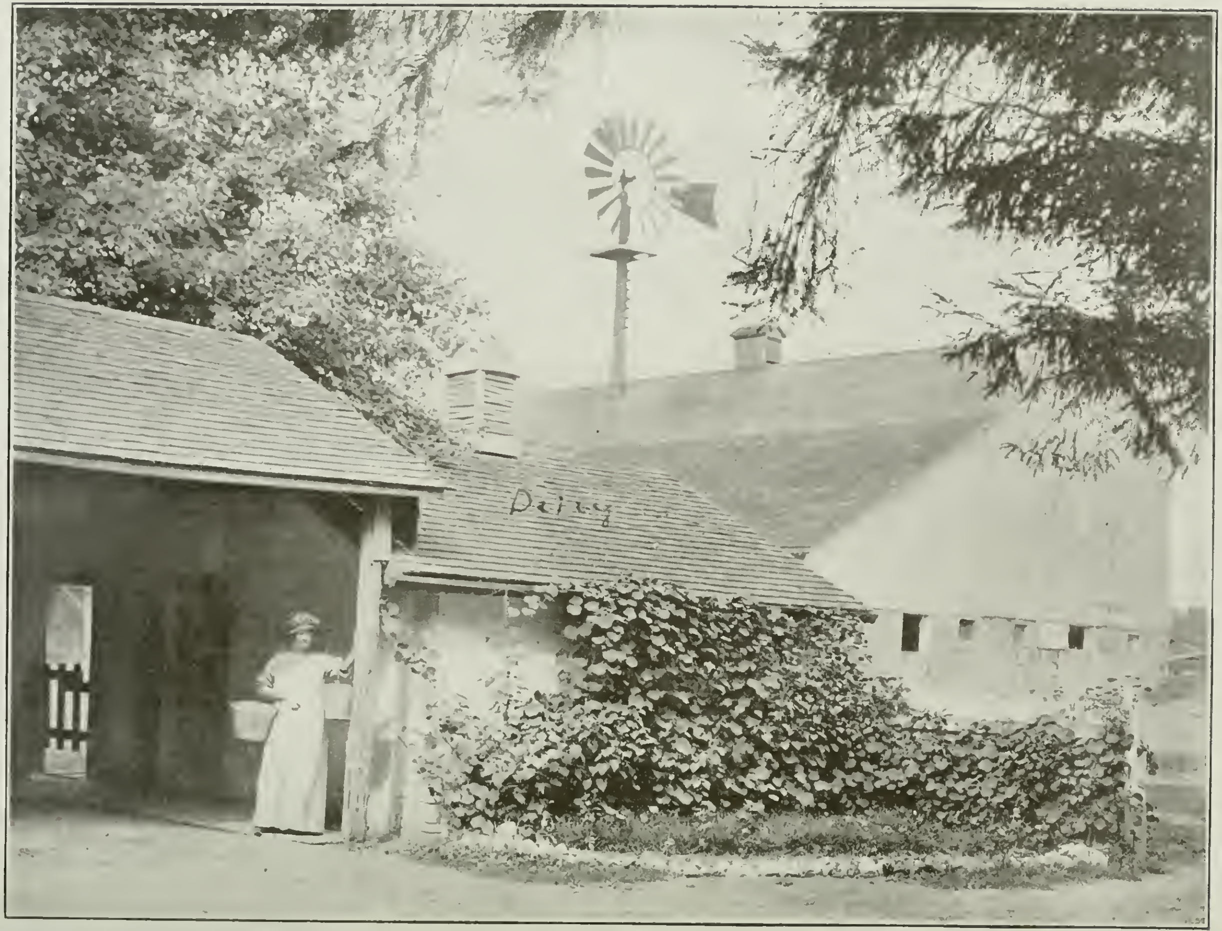


Attractive Ontario Dairy Scene, showing neat separate milk house reasonable distance from stable.

CHAPTER I.

Being a Statement of the Formation of the Commission, the Importance of the Subject from the Standpoint of Health and Commerce and an Outline of the Plan of Enquiry.

Hon. J. S. Duff, Minister of Agriculture, Toronto, Ontario.

We, the members of your Milk Commission, hereby beg leave to submit our Report.

At the outset, we take the liberty of recalling to your mind the circumstances surrounding the instigation of the enquiry on which we have been engaged during the past few months. The ever increasing and world-wide attention which has been devoted to the question of safeguarding the milk supply in recent years found expression on the floor of the Ontario Legislature at its Session of 1909. On the first of April, W. K. McNaught, member for North Toronto, seconded by J. R. Dargavel, member for Leeds, moved that a Commission be appointed to investigate "the methods whereby clean, wholesome and sanitary milk is being successfully supplied to consumers in this or any other country and to make a report." This resolution was accepted by the Government and unanimously passed by the Legislature. In accordance therewith an Order-in-Council was approved on the fourteenth day of May, naming the Commission and setting forth their instructions as follows: "To enquire into the conditions and methods whereby milk is now being produced, cared for and supplied to the people of the Province for domestic consumption and manufacturing purposes; to investigate the methods whereby clean, wholesome, sanitary milk is being successfully supplied to consumers in this or any other country, and to make a report as to their findings in the matter, together with such recommendations as may be considered advisable."

MILLIONS INVOLVED IN DAIRY INDUSTRY.

A preliminary word may be said as to the vast importance of the milk question judged both from the standpoint of commerce and of health. According to the latest available figures there are 1,200,000 milch cows in the Province. That in itself represents an investment of approximately $40,000,000, not including the value of the stables, milk houses and other equipment. In 1908, there were 1,177 cheese factories and 97 creameries, to which were delivered 166,103,975 gallons of milk. This was made into 120,624,436 pounds of cheese and 9,895,109 pounds of butter, representing a value of $13,106,919 and $2,355,170, respectively, aggregating $15,462,089. In addition, there is the large quantity of butter made on the farm and sold direct to the market, of which no estimate can be made. Then, there is the milk which is sold for immediate human consumption, and almost every person uses milk in some form or other and to greater or lesser extent. On the basis of figures furnished by some Ontario cities, it is estimated that 36,464 gallons are used per day in the eighteen cities of this Province, with a combined population of 687,814. At an average of 13 cents per gallon, this means $1,630,216 to the dairy farmers supplying cities each year. As 26 cents a gallon is a moderate estimate of the amount paid by the consumer, it will be seen that the city milk supply represents another $1,630,000 annually to the vendor and middleman. At the same ratio for the entire Province, supplying milk would mean an annual revenue of $6,120,320 to the producer, but as the consumption in rural districts very greatly exceeds the average in the city, the sum must be placed far in excess of that amount. Altogether, it seems well within the mark to say that dairy products are worth to this Province each year $45,000,000, giving employment to thousands, affording a large market for foodstuffs, and, in turn, giving back fertility to the soil and paying interest on an investment of over fifty million dollars, exclusive of the land.

THE GOSPEL OF THE GERMS.

But more important, and likewise more intricate, is the question of the milk supply in its relation to public health. In the scientific world there has perhaps been no more remarkable development in recent years than that which concerns bacteriology and the manner in which these germs may be conveyed by water, milk and other carriers. Bacteria were discovered by Antony von Leenwenhock in Holland about 1675. He was a linen draper, as history records, but his hobby was grinding lenses, and one day he constructed a microscope of greater power than any previously manufactured. With the aid of this he discovered what he described as "animal-cules" in a few drops of water. While it seems to be agreed that that was the beginning of bacteriology, little progress was made in the ensuing two centuries. When Koch, in 1882. discovered the tubercle bacilli and introduced the "plate" method of media, he virtually started the modern school of bacteriology. Since that time the progress has been rapid and hundreds of books have been written and hundreds of men have devoted their lives to the work of research.

Typical Ontario Bank Barn.

The chief carriers of bacteria are water, air, soil, milk and milk products. Milk, by its very nature, is one of the best and cheapest foods known, being made up as follows:—

	Per cent.
Water	87.2
Butter fat	3.7
Casein	3.
Milk sugar	4.9
Albumen	.5
Ash	.7

Cow's milk especially constitutes the food of infants because it more closely resembles mother's milk than the milk of any other animal, with the possible exception of the goat. But, unfortunately, milk has also been found to be one of the best mediums for the development and dissemination of germs, tuberculosis, typhoid, diphtheria, scarlet fever, being chief of the diseases which scientists have found to be conveyed by milk. Hence, while certain bacteria have proved of tremendous advantage in the making of cheese and butter, other bacteria have rendered the utmost vigilance essential in preserving milk in its natural purity. While milk is not often absolutely germless when it comes from the cow, experiments have proven it to be almost so, providing, of course, that the cow is healthy. Hence, since legislation follows the scientist, legislative bodies everywhere have directed their attention to devising plans for safeguarding the milk supply that the health of their people might be protected as well as their prosperity advanced.

INTEREST OF THE CONSUMER PARAMOUNT.

In undertaking, therefore, the enquiry of this question, it seemed to your Commission more a matter for personal observation than the taking of evidence. Being represented as most in need of attention, the supply of milk for human consumption has received chief attention. The menace of milk being measured to a large extent by the length of time elapsing between the time it is drawn and consumed, the problem resolved itself into one primarily affecting large centres of population. Here two courses were open: one consisted in making detailed examination of the conditions prevailing at each dairy farm and each distributing plant and bacteriological tests of the milk of each city. Such an exhaustive enquiry we did not conceive to be either practical or necessary. We were approaching the matter from the Provincial standpoint, not from the standpoint of any individual city or town. A study of the by-laws of each municipality, a general observation at first hand of conditions prevailing under such by-laws, a knowledge of laws and conditions in other countries and some attention to the scientific side of the question—these things seemed calculated to enable us to devise a provincial policy under which the various municipalities could secure a safe milk supply for their people. Accordingly, this was the line of enquiry adopted.

The subject we found was many-sided. It involves the practical knowledge of the farmer in the breeding and feeding of cattle and the handling of milk; the organizing and executive talent of the retailer; the hygiene of the sanitarian; the science of the bacteriologist, the veterinarian and the medical man, the safeguards of the health officer and the legislative powers of municipalities. Each of these speaks in a technical language more or less its own. While giving due weight to all interests, this report is drafted, not as a technical treatise, but with a view to the interests and understanding of the consumer, the average man who knows little about the difficulties of dairying or the intricacies of bacteriology, but who knows he wants clean, wholesome milk and who thinks he ought to be able to get it.

CHAPTER II.

Being a Resume of the Milk Laws of the Province and By-Laws of Cities, Together with some Facts and Opinions as to their Operation, and a History of the Medical Milk Commission Movement

To understand conditions and needs, it is first necessary to set forth present legislative enactments governing the "production, care and distribution of milk for human consumption and manufacturing purposes." Like all other Canadian laws, these come under three heads—federal, provincial and municipal. In matters of agriculture, under which dairying naturally comes, the Dominion and Provincial authorities have concurrent powers, the federal being supreme. The provinces, therefore, may make practically what laws they choose within reason. The municipalities, which receive their powers from the provincial legislatures, may make only such by-laws as are within the scope thereby delegated.

The production, care and distribution of milk being largely a provincial and municipal matter, it is not the subject of any extensive federal legislation. The Health of Animals Branch of the Dominion Department of Agriculture encourages good breeding by means of the "record of performances" and other agencies, combats contagious diseases, administers the quarantine regulations and has charge of the enforcement of the tuberculin test on animals for import or export. The tuberculin test consists in injecting a small quantity of tuberculin beneath the skin and taking the temperature of the animal at intervals both before and after. If the temperature rises to a certain degree, it is proof that the animal, in some part, suffers from tuberculosis. This is described as "reacting." The tuberculosis law provides that all cattle which have reacted to the tuberculin test shall be deemed to be affected with tuberculosis and shall be permanently marked as the Veterinary Director-General may prescribe. No reacting cattle shall be permitted to be exported. Imported cattle must be quarantined a week and tested, and if found to react, shall be permanently marked in the right ear with the letter "T" and released, except cattle from the United States and Mexico, which will be slaughtered. Cattle showing clinical symptoms of tuberculosis shall be destroyed or otherwise disposed of, as the Minister may direct. In addition, the Department agrees to supply tuberculin free of cost to anyone making application and agreeing to have his herd tested by a qualified veterinarian, make a report of the result to the Department and have reactors earmarked. No compensation is provided for.

Then, the Dairy Branch of the Federal Department of Agriculture, by contesting associations, cheese and butter experiments and other educational agencies, works to develop the manufacturing side of the dairy industry, especially butter and cheese for export.

Milk being a food, a general clause against adulteration is included in the federal Pure Food Act, and this clause, we understand, will be extended in the revision now being made by the federal authorities.

HISTORY OF PROVINCIAL LAWS.

It will thus be seen that the federal enactments affect but little and interfere not at all with the provincial and municipal legislation on the question. Alike because it is the higher authority and because this enquiry has proceeded from the provincial viewpoint, the provincial legislation may be considered before municipal regulation. It is practically divided into two branches, one dealing with milk for human consumption, including vending in cities and towns, and the other dealing with milk for manufacturing purposes, including cheese factories.

The history of the provincial laws, as revealed by a study of the Statutes, may be briefly stated, but for purposes of reference it may be well to adhere to the legal phraseology.

The Consolidated Municipal Act of 1883 provided that Councils of cities, towns, etc., may pass by-laws: (46 Victoria, ch. 18, sec. 496, sub-sec. 49) "For appointing inspectors and providing for the inspection of milk, meat, poultry, fish and other natural products offered for sale for human food or drink, whether on the streets or in public places or in shops."

The Municipal Amendment Act of 1884, (47 Victoria, ch. 32, sec. 13, subsec. 10) repealed the above mentioned subsection and re-enacted it with additions in the words following: "For appointing inspectors and for providing for the inspection of milk, meat, poultry, fish and other natural products offered for sale for human food or drink, whether on the streets or in public places, or in shops, and for licensing and regulating milk vendors and for fixing the fee to be paid for such license at a sum not to exceed one dollar for one year."

From time to time, down to R.S.O. 1897, ch. 223, sec. 583, sub-sec. 23, the principles were practically re-enacted.

62 Victoria, 2nd sess., ch. 26, being the Municipal Amendment Act, 1899, by sec. 29 provides for the granting or refusing of a license to any person to carry on a particular trade, calling, business or occupation, under any of the powers conferred upon the Municipal Council or Board of Police Commissioners of any municipality, shall be deemed to be in the discretion of the Council or Board as the case may be, and the Council or Board shall not be bound to state any reason for the granting or refusing of such license; and by sec. 37 (2) of the same Act, power is granted to the Council to cancel licenses without stating any reason therefor.

The Act containing the power to grant and power to cancel without giving any reason for doing so, was assented to on the 1st of April, 1899.

63 Victoria, ch. 33, being the Municipal Amendment Act of 1900, repealed the absolute power given by paragraph 23 in section 583 of the Municipal Act, as amended by sub-sec. 2 of sec. 37 of the Municipal Amendment Act, 1899, substituting therefor the cumbersome procedure set out in section 37 of 63 Victoria, and re-enacted in the Consolidated Municipal Act of 1903, 3 Ed. VII., chap. 19, sec. 583, sub-sec. 23. Sec. 29, however, was not repealed, and is now found as 486a of the Municipal Act of 1903.

PROVINCIAL LAWS AS THEY ARE AT PRESENT.

The powers given by laws at present on the statute book relating to the question may now be considered. Under general powers delegated to local Boards of Health, "all milch cows and cow byres and all dairies or other places in which milk is sold or kept for general use, and all cheese factories or creameries shall be subject to regular inspection under the direction of the Board," the proprietor to obtain approval in writing and approval to be granted only after satisfactory inspection. The powers to be exercised under this clause, which is section 10 of the by-law set out in Schedule "B" to the Public Health Act, were further defined by amendments in 1900. These amendments, which are above referred to, empower municipal councils to pass by-laws licensing and regulating milk vendors.

Every applicant is entitled to such a license upon the production of a certificate, signed by the Secretary of the local Board of Health of the municiality in which such applicant resides, that he has complied in all respects with the provisions of Section 10 above quoted.

It also provides that "The premises of every person licensed under a by-law passed in pursuance of this paragraph shall at all times be open to inspection by any medical health officer or sanitary inspector of the municipality granting such license." For non-compliance with the provisions of section 10 above referred to, the license may be cancelled by the Board of Health of the municipality granting the license, providing the licensee lives in the same municipality. Where the dairyman lives in a different municipality to that granting the license, the health officer of that municipality and the health officer of the municipality granting the license must agree as a result of a united inspection within twenty-four hours after request of the Chairman of the Board of Health of the municipality granting license, before suspension is permitted. If they fail to "concur in the suspension," then "no such suspension shall take place unless it shall first be sanctioned by the Secretary of the Provincial Board of Health." Provision is made for appeal from the local Board to the Provincial Board. A license fee may be charged not to exceed $1.00. Power is also given (3 Edward VII., chap. 19, sec. 550) to township, city, town and village councils to appoint inspectors of milk and other foods. Because of their bearing on the subsequent development of our enquiry, special attention is directed to the relative powers of the "municipality granting the license," and "the municipality where the licensee lives," and the necessity for concurrence.

The Statutes also tell a curious story in the clauses in reference to the tuberculin test. It appears that in 1896, (59 Victoria, ch. 63, sec. 4), in An Act respecting the Slaughtering of Cattle and the Inspection of Milk and Meat Supplies, power was given to local Boards to provide for testing cattle with tuberculin and disposing of them according to regulations thereafter to be decided by the Lieutenant-Governor-in-Council. Apparently no regulations were drawn up, and in 1897, (60 Victoria, ch. 14, sec. 75), a clause was added as follows: "The operation of this clause is suspended and no proceedings shall be taken under the authority of the said section until the close of the next session of the Legislature." In 1898, (61 Victoria, ch. 23, sec. 22), the same enactment was passed deferring it for another session. The reiteration of the clause in the Statutes of 1899 (62 Victoria (2), ch. 26, sec. 53), showed that "wait until next session" was still the policy, while in 1900, (63 Victoria, ch. 33, sec. 38), the postponement was repeated and further elaborated with a clause setting forth that "to remove doubts it is hereby declared that Section 4 is not and never has been in force," added no doubt as the suspending clause was not enacted in the first session of 62 Victoria. Then the matter seems to have been lost sight of, and although it has never been repealed, no attempt has been made to enforce it.

There is at present no standard in the Ontario Statutes defining the butter fat quality of milk, either for human consumption or manufacturing purposes. Clause 3 as to adulteration may be quoted in full as follows: (ch. 252, R.S.O. 1897.)

"Any person who knowingly and fraudulently sells or supplies to any person any milk diluted with water, or in any way adulterated, or milk from which any cream has been taken or milk commonly known as "skimmed milk," or who keeps back any part of the milk known as "strippings," or who knowingly and fraudulently sells or supplies to any person milk that is tainted or partly sour from want of proper care in keeping clean and sweet, pails, strainers, or any vessel in which the said milk is kept, shall for every offence forfeit and pay a sum not less than $1 nor more than $50 and costs, in the discretion of the Justices before whom the case is heard. Provided, however, that this shall not prevent the sale of skimmed milk by any person if the fact that the same is skimmed is made known to the person to whom such milk is being sold."

MILK FOR MANUFACTURING PURPOSES.

In the matter of milk for manufacturing purposes, the provincial law is found to be much more complete and concise than that governing milk for human consumption. It is included in two Acts, one of which was enacted in the session of 1909, (9 Edw. VII., ch. 86), and the other, enacted in 1908, (8 Edw. VII., ch. 55), was amended in 1909.

The new Act, "The Dairy Products Act," provided for the registration of all creameries with the Department of Agriculture before the first of January, 1910. After January 1st, 1910, no person shall carry on the business of a creamery without permission from the Minister of Agriculture, which permission shall only be granted after a report has been signed by an inspector. Permission may be refused for lack of proper equipment or unsanitary conditions. In addition, after January, 1911, no person may officiate as chief maker in any creamery or cheese factory without a certificate from the Dairy School of the Ontario Agricultural College or from the Eastern Dairy School or a special permit from the Minister of Agriculture on the grounds of experience and competency.

The main Act dealing with milk for manufacturing purposes is entitled "The Milk, Cheese and Butter Act." The first two clauses are:

"The owners or board of management of any creamery in the Province of Ontario may make such rules and regulations as may be advisable for the due carrying on of the business of the creamery."

"The patrons of all creameries may be required to subscribe their names to such rules and regulations, and the rules and regulations shall be binding on the patrons, owners and board of management who have so subscribed."

Formerly, section 2 provided a standard of 3.75 butter fat and 13 per cent. total solids, but this was repealed in the session of 1909, (9 Edward VII., ch. 26, sec. 24). Instead, it is provided that the owner or manager of a cheese factory who suspects milk as being adulterated may enter upon or appoint some person to enter upon, the premises of the person supplying the milk and take samples direct from the cow supposed to have given the milk. The adulteration can thereby be detected, and it is provided (sec. 16, sub-sec. 2) that it shall be "sufficient *prima facie* evidence to show that such person by himself or his agent supplied milk substantially below the standard actually drawn."

The Minister of Agriculture, pursuant to the terms of sec. 13 of said Act, may appoint dairy inspectors who shall have "free access and admission to all cheese factories and creameries and the premises upon which milk or cream is offered for sale located within the Province and to all lands adjoining the same, and to the premises of all persons supplying milk or cream to any cheese factory or creamery, or for sale in cities, towns or incorporated villages; they shall also be empowered to take and test samples of milk found in cheese factories or creameries or in the possession of milk dealers having the same for sale in cities, towns or incorporated villages, or in transit between producers and cheese factories and creameries, between producers and dealers or between dealers and consumers in cities, towns or incorporated villages; and they shall have the right to take and test samples of milk found upon the premises of producers supplying milk to cheese factories or creameries or for sale in cities, towns or incorporated villages, and may take and test samples from cows which have been producing milk to be sold to cheese factories or creameries or to be delivered for sale in cities, towns or incorporated villages, and any person refusing admission to the same or offering obstruction to the work of inspection or the taking of samples or testing of same shall be subject to the penalties provided in section 16."

Under this Act thirty-five instructors are employed to visit the cheese factories and creameries and to some extent the sources from which the supply to these institutions come.

WHAT MUNICIPALITIES MAY DO.

Under and by virtue of these powers and limitations, it devolves on municipalities to make and administer by-laws in reference to milk. To see what by-laws were enacted under the Provincial Statutes and how they were administered, your Commission visited every city in the Province and a few of the larger towns. It was felt that the Medical Health Officers upon whom has rested the responsibility of administering the by-laws, would be in a position to speak with the authority of experience as to their effectiveness or the need of changes. Accordingly, a letter was addressed to each Health Officer asking questions on a number of points, including the following:

"What provincial or municipal legislation do you think is needed?

"Do you think a standard of butter fat and total solids is practical and desirable and if so what standard would you suggest?

"What are your views on pasteurization?

"Has the tuberculin test ever been attempted in your district or do you think tuberculosis is very prevalent among dairy cattle?

"What do you think is the best plan to get a clean raw milk supply at moderate cost?"

The answers are herein given as far as received.

TORONTO.

In the handling of a milk supply the difficulties increase with population, because the supply must be brought from a greater distance and the problems of transportation and keeping are greatly enhanced. Toronto, with a population of upwards of 350,000, nearly four times larger than the next largest city in the Province, faces the problem in its most acute form. Exclusive of West Toronto and other recently annexed districts, the city consumes 2,336 eight gallon cans a day, coming from approximately 900 farms within a radius not exceeding forty miles.

Over one-third of this is supplied by three firms, but the balance passes through the hands of two hundred retailers. The milk is brought to the city by steam railway, by electric railway, and by wagon, and from 24 to 36 hours elapse between milking and consumption.

Toronto's milk by-law provides for the licensing and inspection of all "cows, cow byres, dairies or other places in which milk is sold or kept for sale," stipulates cleanliness and sanitation, and provides that "milk shall not contain any matter or thing liable to cause disease, either by reason of adulteration, contamination with sewage, absorption of disease germs, infection of cows or any other generally recognized cause." Cans, bottles or other vessels used for milk must be thoroughly washed before using and kept dust-proof when in use. An inspector is employed to enforce the terms of this by-law within the city and hence in its practical working out it applies only to distributing plants and retail shops. These are visited at varying intervals. If they are found in a moderate state of cleanliness, they are reported as "fair," while if they are in a good state, they are reported as "perfectly satisfactory." Those with a reputation of being clean are inspected not more than three times a year; those found very bad are visited frequently until they improve. This is the extent of the inspection and there is no supervision over conditions on the farm. A few years ago the Health Officer dumped milk which he believed to be contaminated into the ditch. A lawsuit followed, but it was settled out of court. No further attempt was made to exercise any authority outside the city limits.

SOME STARTLING FIGURES.

Numerous samples are taken each week and submitted to the City Analyst for food value analysis. In addition, during the past summer between 300 and 400 samples were examined for preservatives and in none was formaldehyde or other preservative found. A different story, however, is told by the food value tests. Dr. Sheard, Medical Health Officer, showed your Commission the record of these tests and some astounding figures were revealed. Whereas three per cent. of butter fat and twelve per cent. of solids are considered as a reasonably moderate standard, some samples went as low as 1.91 per cent. of butter fat and 9.07 per cent. of total solids. That it is not a matter of a few isolated cases is shown by the fact that of 2,541 samples tested up to October 29th, 1,014, or about forty per cent., were below three per cent. The deductions from these figures of the City Analyst are confirmed by examinations of the Dominion Analyst, who tested samples from all parts of Canada and found the milk from Toronto district the poorest in quality. The following figures picked at random give an idea of Toronto's daily milk supply:

Date.	Total Solids.	Butter Fat.
January 14	11.52	3.36
January 18	11.92	2.98
January 29	11.37	2.71
February 1	11,00	2.60
February 8	11.64	3.27
July 27	13.05	4.03
May 7	11.64	3.10
May 29	11.12	2.90
May 28	12.19	3.48
June 11	11 44	2.69
June 12	11.50	2.85
June 19	12.03	3.40
September 4	11.22	2.90
September 30	12.22	3.20
June 12	11.47	3.28
October 2	12.45	4.00
October 9	12.04	3.50

This reveals a condition of affairs probably unparalleled in any city on the continent and certainly, as subsequent figures show, unparalleled in any city in Ontario. Various explanations are offered. One is that the poorer cows of the Province, cast off subsequent to an unprofitable season, are picked up cheaply on the Toronto market. Another is, that there are many cows in this district of types which are noted for producing large quantities rather than milk rich in food values. Another is, that the dealers get the city to test samples suspected of being low, in order to follow them up, and that therefore the percentage does not represent a fair ratio of the whole supply. Any or all of these explanations may account for some proportion, but it is hardly credible that all combined could explain such a large percentage. A herd may at times give milk below three per cent., but this is rare, and to say that forty per cent. of the milk of this district is below three per cent. when it is drawn is a libel on the cow. The serious conclusion cannot be evaded that there is somewhere adulteration, by the addition of water or the extraction of cream, to an alarming degree.

To meet this condition, Dr. Sheard said: "In my opinion the two chief requirements in connection with the milk conditions of this Province are, first, to clearly define what good milk is presumed to be, and when the same is adulterated, and to make it an offence against law to sell such adulterated milk. In this respect I think the code of New York covers the point admirably. In addition I think the Health Officer should have the right to go into outside municipalities from which milk is being delivered into the municipality over whch he has supervision to inspect all dairies, dairy premises and dairy cattle, and if anything unsanitary is found thereon, or any diseased cattle, or any contagious disease is found to exist amongst the employees and milkers, he should have the right to prevent such milk from coming into the municipality over which he has jurisdiction, and if the milk be sent in, to seize and carry away the same, and have such shipper punished by a fine. Furthermore, all shippers and transporters of milk, whether by team or car, should provide such receptacles, properly equipped with ice or otherwise as will maintain the milk during transit at a temperature below 50 degrees F."

INADEQUATE COOLING IN SUMMER TRANSPORTATION.

In company with Dr. Sheard, your Commission spent considerable time visiting various milk distributing plants and retail stores in the city, noting the method of handling the milk and the equipment. Milk drawn from the cow the same morning and the night previous arrives at the city plants usually between ten o'clock and noon. It is, of course, in the extreme summer weather when the greatest difficulty is experienced in handling. Shaken up in the cans on railroad and wagon road, the milk arrives in the city at a temperature of from 60 to 70 degrees F., which constitutes an excellent medium for the development of bacteria. Some of the milk tested by your Commission on an August day actually showed a temperature of 72 to 74 degrees, while very few went below 60. With the exception of a cover which is usually over the wagon, no attempt is made to keep the milk cool during transportation. Arrived at the plant, it is immediately passed over the pasteurizer and clarifier in the large establishments so equipped, and, in almost all, over the cooler and into the bottles. The bottles are then placed in an ice vat or a refrigerator until they are delivered the next morning. The milk therefore reaches the consumer from 24 to 36 hours after it leaves the cow.

It is not within our scope of duty to enter into any detailed description of the equipment of the respective dairies. In the great majority of cases the dairies were equipped with cooling tanks, bottling machines and bottle sterilizing facilities, but it is to be remembered that the test of the efficiency of all these appliances is the eternal vigilance and thoroughness with which they are operated from day to day. Bottles may be either the best or worst method of handling milk and all previous care and caution has been for naught if the bottles are slovenly or imperfectly sterilized. The cans are also sterilized in the city before being sent back to the farm.

In the matter of cleanliness the majority appeared to be making an honest effort to maintain a fair standard. This was especially true in some of the smaller dairies. There were others, however, both large and small, at which too little attention was paid to these matters. At many the basement was found to be utilized for bottle filling, bottle sterilizing and storing. To this in itself little objection can be found provided the room is used for no other purpose. In one place it was noticed a corner was used for coal, another corner for miscellaneous, while, unsheltered from the dust and dirt, human food was being prepared at the other end. This cannot be too strongly condemned.

All these matters have been under civic supervision and there were many obvious proofs that periodical inspection had a salutary influence on maintaining cleanliness and care.

COMMERCIAL PASTEURIZATION.

When we made our visits in August, it was found, as nearly as could be estimated, that about forty to fifty per cent. of the milk supply was being "pasteurized" and all by the process known as "commercial pasteurization." One large company was then installing a machine to do pasteurization in accordance with more modern and scientific standards, and we learn another company has also adopted this method, so that there are now at least two firms equipped to supply scientifically pasteurized milk. In August, however, almost all the larger dairies were heating their milk to from 150 to 165 degrees for from 20 to 30 seconds, chilling, and then sending it out labelled "pasteurized." In most places the milk was run over a circular coil, but in at least one instance it was heated in an oblong tank with open top, revealing a number of flies floating around, to the danger of which the dealer was apparently oblivious. Many dealers were asked the question "Why do you pasteurize?" Invariably the answer came, "Well, it keeps the milk from souring so quickly; if we did not pasteurize, much of our milk would go bad." One bright, up-to-date dealer said, "Well, you see the doctors are making such a row about milk now and they say it kills the disease germs." In many cases pasteurization has been carried on for eight or nine years and there is little doubt but that it was inaugurated and maintained to prevent the souring of the milk, for which "commercial pasteurization" was specially fitted, in that it destroyed the lactic acid producing germs which sour the milk. Among the smaller dealers there was a practical unanimity against pasteurization. They said they had no difficulty in keeping their milk sweet even in hot weather. They declared themselves opposed to pasteurization on the ground that it would discourage cleanliness on the farm.

"BULK" MILK AT THE CORNER STORE.

The great percentage of milk used in the city is delivered to the door of the consumer in bottles conveyed in covered wagons, except in the case of hotels, restaurants and such large customers, who are supplied in cans. In addition, however, milk is offered for sale in "bulk" at many stores. One such store visited was neat and clean and sold only dairy products—milk, cream, butter, etc. Such stores are exceptions and as a rule the milk is sold along with groceries, vegetables, fruit, fish and all articles usually dispensed in a general purpose store. These stores are located in such congested districts as "the Ward" and in the outskirts as well. In many cases an effort is made to keep the milk pail in a separate compartment of a more or less cool refrigerator, but in others even this precaution was lacking. The milk is dipped out in small quantities of pints and half pints and carried away very frequently in open vessels. It can easily be seen that especially in the hot weather this system may be a grave menace to health. Each time the dipper goes into the pail, it is almost inevitable that it must carry contamination from the odors and dust of the surrounding atmosphere, and it is not surprising that the bacteria count of such milk invariably runs into the millions. Enquiry among the dealers elicited the fact that the milk is kept for sale in small quantities not so much because of profit as because of convenience to customers. People came in to buy milk and remained to buy something else. The housewife who ran short of milk in the evening, the extremely poor who could not afford to buy in large quantities, alike found the corner grocery milk supply a convenience, and in appreciation of this, or because of lack of knowledge, they were prepared to take the risk and incidentally feed it to their infants. At the same time several expressed a willingness to stop selling entirely if the prohibition was general.

VIEWS OF RETAIL MILK DEALERS.

An important factor in the milk question in Toronto is the retail milk dealers. With very rare exceptions, they are not producers, but equally with the producers they are the custodians of the health of the citizens in as far as that health may be affected by the milk supply. Like the producer also, they have a large amount of capital invested and are vitally concerned in the proper carrying on of the business. Realizing that their experience would be of value, we took advantage of every opportunity offered to acquaint ourselves with their side of the question. In addition to discussing the matter informally with the proprietors and others at many of the places visited, we conferred with the representatives of the Milk Dealers' Section of the Retail Merchants' Association. The Committee was composed as follows:—R. W. Dockeray, Chairman; A. Anderson, R. H. Pill, J. B. Dunlop, J. H. Lock and E. M. Trowern, Secretary. The questions of inspection, standard, selling only in bottles in shops, pasteurization and other points were discussed, and the Committee later formally set down its views as follows:

"How would you suggest that a proper system of inspection should be carried out and improvements made thereby?

"We would suggest that each producer be licensed in the municipality to which he sends the milk, for the purpose of keeping track of them, and that said license be granted after an inspection has been made and a permit issued by the Medical Health Officer of the municipality to which the milk is consigned, and if you deem it advisable to place any more reasonable restrictions on the retail distributors' premises, we offer no objection. The first step, however, is to see that the milk comes from a clean and sanitary source, and then follow it up by imposing the same restrictions on the retail distributors.

"What would be a reasonable standard, and how would you enforce it?

"We do not think it practicable to make any standard other than what nature determines, and we therefore suggest that all milk should be sold as taken from clean, healthy cows, without adding anything to it or taking anything from it.

"What would you suggest with regard to the selling of milk only in bottles in stores which also sell groceries and other mixed mechandise?

"In our opinion all milk sold or exposed for sale should be kept in clean vessels on clean premises, and this should be left under the jurisdiction of the Medical Health Officer.

"What are your views regarding the pasteurization of milk?

"It is our opinion that if the source of supply and the handling of milk is properly looked after, pasteurization is unnecessary.

"Have you any suggestions to make as to any improvements in the method of handling milk from the cow to consumer?

"We consider that all milk that is sent to the retail distributor from the producer should be sent in sealed cans, and that all milk coming by rail should be shipped in refrigerator cars, and that all milk coming by wagon should be covered."

MILK SUPPLY FOR HOSPITALS.

In all large cities there are large public institutions which get their milk supply direct from the producer, without having it pass through the usual channels of distribution. Such an institution is the Toronto General Hospial, and we beg to refer to the experience of this institution inasmuch as it may have an application to the larger question of the general supply. The General Hospital uses one hundred gallons a day and pays seventeen cents a gallon. Early in the summer of 1908, Dr. J. N. E. Brown, the Superintendent, began to pay special attention to the purity of the supply. In a statement to your Commission, Dr. Brown said: "I had bacteriological tests made in the laboratory and found the count in some instances went to four or five million per cc. in the warm weather. I immediately made inquiries and investigated the source of supply. I found a barn of the average type aand suggested some improvements in the sanitary arrangements and in the methods of handling, most of which were carried out without adding greatly to the expense or trouble. The result was shown in the bacteria count. Instead of finding millions per cc., the count came down to 600,000 in the hot weather and 60,000 in the cooler months. These figures, although still leaving room for improvement, show marked progress as the result of a little attention. A special supply is furnished for infants, being transported from the farm in ice-cold containers.

"In addition, I proceeded to ascertain whether hospitals in other large cities were devoting any special attention to the milk supply, and wrote letters to the superintendents of the leading hospitals in American cities. From Cincinnati, I learned that the Milk Commission of the Academy of Medicine there had conducted an enquiry into the milk supply of all the hospitals and had found it far from satisfactory. As a result all the hospitals are now supplied with 'inspected' or 'certified' milk and the Milk Commission 'believes no part of its educational campaign has brought better results than the bringing before the profession a review of the milk supply of the city hospitals.' From Providence, I learned that the

Rhode Island State law requires extra precautions in the milk supply of institutions, and in addition to this, all the milk of the Rhode Island Hospital has been pasteurized for some years with very satisfactory results. From New York, I learned that the municipal hospitals paid about fifty per cent. above the market price and secured milk of a higher grade. They let the contract by tender and asked for tenders for two classes (1) milk containing 4 per cent. of fat and 12½ per cent. of solids at least, and not more than 100.000 bacteria per cc. in May. June, July and August, nor more than 60,000 the balance of the year; (2) milk certified by the Milk Commission. Another New York hospital superintendent who got the regular supply said, "We have a regular bacteriological examination of our milk. I am obliged to confess it is generally somewhat above the limit set by the Board of Health as to the number of bacterial colonies but we all thrive on it.' In a couple of cases no special attention was paid to the matter, while one reported they were supplied by their own herd."

MEDICAL MILK COMMISSIONS AND "CERTIFIED" MILK.

As the Medical Milk Commission has had considerable influence in directing attention to the necessity for safeguards in connection with the milk supply, it is fitting that the history, nature and aims of this movement should be herein recorded.

The Medical Milk Commission and "certified" milk movement began in Newark, New Jersey, in 1892. To Dr. Henry L. Coit of that city belongs the credit of originating the idea. He formulated a plan by which an organization of doctors should give their practical support and endorsation to any dairyman who would produce and handle milk in accordance with their regulations. These regulations were drawn up in such a manner as to insure the absolute purity of the milk. Dr. Coit succeeded in securing the co-operation of other members of his profession, and, in 1893, the Medical Society of Essex County, N.J., organized a Milk Commission and the work of securing certified milk was begun. Dr. Coit himself says the idea had its inception in his efforts to solve the problem of infant feeding and that this, together with the general need of pure milk for invalids, has been the chief factor in sustaining public interest. That interest has been not only sustained but increased, as is shown by the fact that there are now fifty-six Medical Milk Commissions in almost as many cities in the United States, and the movement has spread to Canada.

At the Convention of the Canadian Medical Association held in Ottawa in June, 1908, Dr. C. J. O. Hastings of Toronto read a paper on "The National Importance of Pure Milk." The matter was promptly taken up by the Executive, which decided to form a Canadian Medical Association Milk Commission. It was composed of representatives from all parts of Canada, with Dr. Hastings as Chairman and Dr. J. H. Elliott of Toronto as Secretary. Its object was defined as being to co-operate with Boards of Health in securing a pure milk supply, and to seek more stringent legislation. The meetings are held in Toronto, where enough members to make a quorum reside. They have adopted the following definitions:

"Certified milk is milk examined and guaranteed by any local Board of Health or incorporated society or association of legally qualified medical practitioners; first to be taken from cows semi-annually subjected to the tuberculin test and found without reaction, all doubtful and suspicious cases to be excluded from the herd; second, to contain not more than 10,000 bacteria per cc. in the summer and

5,000 in winter on delivery to the consumer; third, to be free from pus, blood, disease-producing germs, preservatives or other foreign matter, and not to have been heated in any way or frozen: it shall contain at least 12 per cent. of total solids, of which from 3 1-2 to 4 1-2 must be butter fat; it must be cooled to a temperature of 45 degrees within one-half hour after milking, and shall be kept at a temperature not higher than 45 degrees until delivered to the consumer.

"Pasteurized milk is milk which has been subjected in a closed vessel to a temperature of 150 degrees F. for twenty minutes or 140 to 145 degrees for thirty minutes and immediately thereafter refrigerated to at least 45 degrees and kept at that temperature until delivered to the consumer."

To attain the conditions of certified milk, very scrupulous care is necessary and this means considerable extra labor. Then the cost of the tuberculin testing must be borne by the dairyman. To see that those conditions are observed, a doctor visits the dairy once a month. In view of the heavy extra expense, the price of the milk has to be materially advanced, and certified milk in Ontario sells for fifteen cents a quart. While it is a great advantage that certified milk should be available to those who can afford it—and a very large number can afford it for infant feeding and invalids at least—still it will probably never constitute any large percentage of the general milk supply. A mistake is sometimes made by taking it for granted that because a firm produces certified milk, therefore all the milk sold by the firm is produced under the same conditions. The difference in the price in itself ought to prevent any misapprehension on this point.

The Canadian Medical Milk Commission are now organizing local Commissions in every city in Canada. In Ontario thus far Commissions have been formed in Toronto, Ottawa and Hamilton.

The Toronto body, known as the Milk Commission of the Academy of Medicine, was organized in October, 1908, with the following members: Dr. Henry T. Machell, Chairman; Dr. W. L. T. Addison, Dr. John A. Amyot, Dr. Allen Baines, Dr. C. J. O. Hastings, Dr. Alex. McPhedran. They have a bacteriologist and chemist and veterinarian and the laboratory of the Provincial Board of Health has been placed at their disposal, hence no charge is made for bacteriological tests. The cost of the veterinarian, printing and other incidental expenses are paid by the dairymen. The first certificate was issued to Price & Sons in February, 1909, but since that time the production of certified milk has been undertaken and carried on by the Manor Farm Dairy, and the Dentonia Farm Dairy, controlled by the City Dairy Company. At each the milkers wear white suits and the milk is removed from the stable as soon as drawn from the cows. One of the secrets of the low bacteria count is the fact that the milk is chilled and bottled within five or ten minutes after being drawn. A certificate is issued each month. Certificates are now also being issued for milk pasteurized in accordance with the standard set forth above. Another condition imposed is that all the cans must be sterilized in the city and sealed before being shipped to the farm and again sealed on the return, to prevent any contamination in transit. In both cases it is of course entirely a matter of voluntary arrangement between the Commission and the company.

To your Commission, Dr. Hastings, Chairman of the Dominion Commission, voiced the views of the Commission as follows:

"The consensus of opinion of the most eminent authorities on the continent of America is that pasteurization such as we recommend will destroy all disease-producing germs and does not interfere with the digestibility or food value of the milk. From our investigations we can fully endorse this statement and recommend the following classification: first, certified milk; second, inspected pasteurized milk. We strongly advise in the interests of public health that all milk not answering the standard set for certified milk be pasteurized and that all milk before being accepted as fit for pasteurization must be at least macroscopically clean and kept at the lowest possible temperature, and also that the shortest possible time elapse from the taking of the milk from the cow until it is pasteurized and that immediately after pasteurization the milk be lowered to a temperature of 40 degrees and maintained at that until used, all pasteurization to be under the control of the Health Department. We also recommend that as soon as possible the entire source of supply of the Dominion be placed under rigid inspection of the various health departments or Medical Milk Commissions, from producer to consumer—such inspection at least as will secure clean milk."

OTTAWA.

About two years ago as a result of a public agitation, aided materially by the newspapers, the City of Ottawa municipal authorities undertook the improvement of its general milk supply. On the 4th of May, 1908, a by-law was passed which stands to-day as perhaps the most complete and effective by-law of any Ontario city. The outstanding features are the licensing of both the retail dealer and the dairyman on the farm, and the appointment of a veterinarian to make regular inspections on the farms as well as in the city.

The by-law begins with a clause to the effect that no persons shall sell milk either directly to the consumer or in wholesale quantities to stores or to any person to be afterwards sold without first obtaining a license at a cost of one dollar. This it will be observed covers restaurants. Before applying for a license, the applicant must fill in the following form:

"Desiring to sell milk in the City of Ottawa, I hereby apply to have my cattle, premises and equipment inspected, and agree to observe the provisions of The Public Health Act and all by-laws of the Corporation of the City of Ottawa and all regulations of the Board of Health of the said City relating to the production and sale of milk, and to keep my cattle and premises and to handle my milk in a manner satisfactory to yourself: neglect or default in this respect rendering me liable to forfeit my license.

"My milk is obtained from my own herd, consisting of................. cows, from which the average quantity sold is...............gallons, and from ....

"The food supplied ....

....

.........................., 19...."

Upon the cattle, premises and equipment being found satisfactory on inspection, the license is granted. It is specifically provided that all dairy farms as well as distributing plants shall be open to regular inspection; that all stables shall be thoroughly lighted, ventilated and drained, the walls and ceilings whitewashed twice a year and kept free from dust and cobwebs and manure; that the milk be removed from the stables as soon as drawn; and that the dairyman must notify the Health Department of any contagious disease among the animals or among his family. A minimum standard of 12 per cent. solids and 3 per cent. butter fat is included.

The administration of this by-law has been in charge of Dr. Robert Law, Medical Health Officer, and Dr. Hollingsworth, Chief Food Inspector and Veterinarian, and from what we were able to see the by-law is being well administered with splendid results.

About six thousand gallons are consumed daily in the city, coming from 140 farms within a radius of 10 miles. The milk is sold for six cents a quart in summer and eight cents in winter, a small quantity of certified milk being sold at ten cents a quart. Thus far the demand for this has been so small that it is sold at a financial loss. Over sixty per cent. of the Ottawa milk supply is handled by one firm, which has a large, modern, well equipped distributing plant. Maintaining a veterinarian and doing inspection of its own, it has been an important factor in improving conditions. Last year it installed a pasteurizing plant with a holding device, so that since that time all the milk has been pasteurized at about 147 degree F. for thirty minutes.

The Department of Health is equipped with a laboratory wherein bacteriological counts as well as quantitative analyses are made. During 1908, of 411 samples examined, an average of 150,000 bacteria per cc. was found. During the first ten months of 1909, over 1,300 samples were examined for quantitative standard, and only 36 were found deficient in butter fat, the average being well over three per cent. Of 400 samples from June to October, the average butter fat was 4.2 and total solids 13.10. The following are a few figures:—

Date.	Butter fat.	Total solids.
1909.		
June 15	3.6	12.45
May 28	3.6	12.37
" 28	3.3	12.01
" 28	3.9	12.98
April 30	4	12.74
" 23	3 8	12 69
June 24	4.5	13 07
" 25	4.4	13.65
September 22	4.6	13.81
" 22	4.2	13.33
" 29	3.4	12.52
" 29	3.6	12.60
October 11	3.4	12.46

But the feature in connection with the Ottawa supply is the condition of the herds and the stabling, to which reference is made in another page.

In answer to questions, Dr. Law expressed the following views on the milk question:

" A minimum standard of butter fat is practical and necessary and should not be lower than 3 per cent. butter fat and 12 per cent. total solids.

" Pasteurization under present conditions offers one of the readiest methods of securing a safe milk supply. In the absence of proper means on a large scale, household pasteurization can be carried out.

"Has the tuberculin test been tried here? Yes, in five herds; and especially in a large herd of registered Jerseys the number reacting was large.

" As to the general prevalence of tuberculosis, I am unable to give a definite opinion.

"To get a clean raw supply at moderate cost we must first have definite power to insure healthy tested cattle, definite regulations as to their care and the proper handling of the milk, and inspectors to inspect and instruct the dairymen in the handling of milk, also proper laboratories under trained men for the proper testing of milk."

HAMILTON.

In Hamilton, the third largest city in the Province, the milk by-law deals with the matter of licensing and inspection. No regular system of inspection of farms has been attempted. The city uses about 3,500 gallons per day and pays six and seven cents per quart. All the supply comes from within a radius of ten miles and a very considerable portion of it has been pasteurized by the continuous process by two distributing firms in the city. Periodical quantitative tests are made by the local inspector, but at no stated intervals, and the most recent we could secure were made in February last. They showed an average of 3.65 butter fat. The efforts made during the past summer to furnish a special supply for infants are related in another chapter.

Some Ontario people are drinking milk produced in surroundings like this.

Dr. J. A. Roberts, Health Officer, expressed the following views in answer to questions:—

"What provincial or municipal legislation do you think is needed?

"Provincial legislation enabling the supply to be thoroughly inspected by Local Boards of Health at its source and power to compel the adoption of such hygienic measures in the handling of milk as are generally recognized by competent authorities to insure a minimum contamination. Power should be given local Boards to enforce conditions around byres and yards, sufficient air space, ventilation, etc., Ordinances such as those relating to the temperature at which milk shall be brought into the city might be left to local authorities.

"Do you think a standard of butter fat and total solids is practical and desirable, and if so, what standard would you suggest?

"Yes. 12 per cent. solids, 3 per cent. fat minimum.

"What are your views on pasteurization?

"So-called 'commercial pasteurization' is a delusion and a snare calculated to make milkmen, if possible, more careless than they are at presesnt. Aptly characterized 'a truce with dirt.' Pasteurization carried out so as to impair the digestibility of milk to a minimum degree would have the effect of destroying pathogenic bacteria but does not lessen the demand for care in producing milk. In large cities it might be of great service in control of milk-borne disease where it is difficult to maintain a sufficient staff of inspectors, but does not preclude the necessity of efficiently sterilizing all bottles, utensils, containers, etc., nor the most careful handling subsequent to pasteurization.

"Has the tuberculin test ever been attempted in your district or do you think tuberculosis is very prevalent among dairy cattle?

"No. Yes, but its importance may be exaggerated.

"What do you think is the best plan to get a clean raw milk supply at moderate cost?

"(*a*). The protection of the milk from infection by scarlet fever, diphtheria, typhoid and tuberculosis.

"(*b*). Cooling the milk and keeping it cool or at least below 50 degrees in order to prevent the growth of the bacteria which contaminate milk in spite of the most careful precautions.

"(*c*). Keeping the utensils clean, because it is impossible to produce uninfected milk unless the vessels are comparatively sterile.

"(*d*). Keeping the milk tightly covered.

"(*e*). Keeping the cows as clean as possible.

"(*f*). Keeping the milker's hands and clothes clean.

"(*g*). Keeping the barns and surroundings in a wholesome and thoroughly sanitary manner."

LONDON.

For twenty years Dr. T. O. Hutchinson has been Medical Health Officer for London and has exercised supervision of dairies. Five years ago, however, when Hon. Adam Beck was Mayor, a special veterinary inspector, Dr. C. S. Tamlin, was appointed to make a regular inspection of the dairy farms. The Board of Health adopted a set of regulations setting a standard for cleanliness of premises and emphasizing the importance of sunlight and ventilation. The health and proper feeding of the cows and the sterilizing of cans were insisted upon. It was provided that all dairies should be arranged in three classes, "A," "B" and "C," each to indicate the degree of perfection in which the cows, stables, cans, wagons, etc., were kept. It was also provided that "Where premises are not clean, or cows unclean or unhealthy, or where cows drink from stagnant or impure pools; or where the percentage of butter fat of the milk is less than 3.25 per cent., the vendor shall not be entitled to a license, and if in possession of one it shall be cancelled. If there is evidence of the adulteration of milk, the vendor shall be prosecuted." This classification, to which has been added a class called "unfit," is made each year and published in the newspapers, and hence there is an incentive to make a good showing, especially as practically all the city's supply comes direct from the farm to the consumer. Dr. Tamlin visits each dairy farm twice a year and sometimes more frequently. He looks over the herd as to general healthfulness, but does not attempt the tuberculin test. If a cow is obviously diseased, however, he has it disposed of. Thus during the year he inspects 2,500 cattle. Dr. Tamlin only devotes a portion of his time to the work and is remunerated at the rate of $400 per year. The plan has now been in operation for five years and we found many indications that it was working satisfactorily. Practically all the milk used in the city is sold at six cents a quart and delivered from cans, few bottles being used.

Dr. Hutchinson expressed the following views:

"No person should be allowed to sell milk without a license from the Board of Health and the license revoked if unclean or adulterated. All milk should be sterilized or pasteurized. Strict enforcement of cleanliness is the best plan to get a clean raw milk supply at moderate cost."

BRANTFORD.

Brantford's milk by-law, passed in 1905, follows very closely the lines laid down by the provincial statutes. Every person vending milk must get a certificate from the local Board of Health of the municipality in which he resides, and upon presentation of this certificate and a one dollar fee the city must grant a license. Hence, the city's sanitary inspector inspects the premises, chiefly distributing plants, within the city limits, while the township inspector inspects the barns, and on the strength of this inspection the license is granted. Dr. Pearson, Medical Health Officer, stated that before the amendment of 1900, the city made inspections at the source of supply, and conditions were much better then than now.

Brantford's supply averages 4,438 quarts per day and comes from sixty-four dairies—a very large number for a city of Brantford's population. Another feature of the Brantford supply is that comparatively few farmers retail themselves, preferring to sell it wholesale to retailers in the city. Very little is delivered in bottles. Samples are taken on the street each month from the wagons, and tests made as to butter fat. The results are published in the press at intervals, and this method is considered more effective in keeping the average up to 3.5 than frequent court fines would be. A few years ago a very general use of formalin in the milk was discovered, but prompt steps were taken by the health authorities, and there has been no trouble since from this score. During the past summer the Board engaged A. B. Cutcliffe, V.S., to make a detailed inspection of the source of supply. He was accompanied by James Read, township inspector, and made a brief report on every stable visited, noting the ventilation, water supply, healthfulness, cleanliness, etc. He found that ventilation was general through stairways and openings to barns above and through silos, and he recommended that a liberal use of whitewash in the stables and the clipping of the hairs from the quarters and udders would greatly add to cleanliness in handling milk.

GUELPH.

On November 8th last, Guelph Council passed a new milk by-law following closely the authority given in the Public Health, Municipal and other Acts. It provides for the licensing of all who sell or supply milk for sale in the city, said license to be granted upon the production of a certificate signed by the Secretary of the local Board of Health in the municipality in which he resides. This comes under Section 10 of the Health Act, while the inspection and suspension of the license comes under the Municipal Act of 1903, providing that there shall be no suspension without concurrence. To this by-law a schedule is attached providing a form to be signed by the dairyman as follows:—

Schedule "A."

Name ....
Address ....
Locality of source of milk ....
No. of cows ....
Quality of { to dairies ....
Milk { to private people ....
Food Supply ....

"In consideration of license being granted to me to sell milk in the City of Guelph, I hereby agree to report to the Medical Health Officer of the said city forthwith and at furthest within twenty-four hours any infectious disease that may occur in my family, or in my house or shop, or in any place from which such milk is obtained or taken for disposal, and also whatever disease may occur amongst my cattle.

"I also agree to allow the said Officer, or any Sanitary Inspector of the said City, to inspect at any time my cattle, my cow byres and dairies and premises whether same are within the City of Guelph or outside the City limits, and all places where milk is sold or kept for delivery or sale by me, and to furnish samples of milk to any said Officer or any Sanitary Inspector of said City whenever required to do so."

As to the nature of legislation needed, Dr. H. O. Howitt, Medical Health Officer, said: "Power to revoke a license should be vested solely in Board of Health. City Councils should have nothing to do with it as at present stipulated in the Statute books. Medical Health Officers, veterinary inspectors, or whoever is appointed for the purpose, should not have to deal with the Medical Health Officer where milk is obtained from—that is, the Medical Health Officer of a city or town should be sole judge as to condition of milk supply consumed in his city or town."

AT THE AGRICULTURAL COLLEGE.

A visit was paid to the Ontario Agricultural College, where every courtesy was extended by President G. C. Creelman, H. H. Dean, Professor of Dairying, and R. W. Wade, Assistant to Prof. Geo. E. Day, Professor of Animal Husbandry. A great deal of attention is devoted by the College to dairying, both in teaching and in the practical work of handling the herd. The cattle are all regularly tested with tuberculin and any reacting are thereafter kept apart in accordance with the Bang system of combating the disease. All the milk is pasteurized by the continuous process, a temperature of 185 deg. F. being reached, and the milk used for human consumption is subjected to 165 deg. F. Pasteurization was adopted as a result of Prof. Dean's visit to Denmark nine or ten years ago. It has been found specially valuable in butter-making, as, after pasteurization, a "starter" is added to give the butter the desired flavor.

The dairy barn has been in use now for some twenty years and it therefore falls far short of the modern idea of what a model dairy barn should be. This is especially true in regard to light and ventilation. By cleanliness, frequent lime-washing and prompt chilling of the milk, those in charge seek to make the best of their equipment and impress proper ideas of sanitation on the students. It seemed to your Commission, however, that a new dairy barn built on modern lines is very much needed by the College to keep up its reputation as one of the best agricultural institutions on the continent. It would, moreover, have an educational influence far beyond the attendance at the College. It is important that the College should lead in this as in other things.

While splendid assistance is being rendered to the dairy industry along many lines, we are of opinion that much more could be done in helping to combat disease in the herds. It is as important to know how to keep the cattle healthy as it is to know how to make good butter or cheese. As to whether a plan of veterinarian aid could be worked out in connection with the Agricultural College, the Veterinary College or the appointment of a provincial veterinarian, we are not prepared to say. We are convinced, however, that assistance along these lines would be of much value to the animal industry.

KINGSTON.

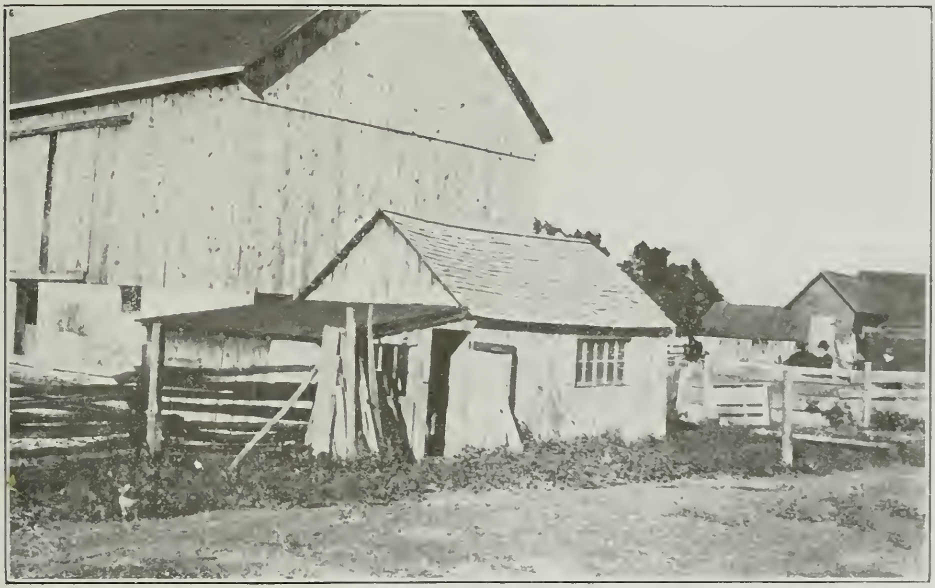
Annual inspections are made by the Sanitary Inspector and Medical Health Officer of the dairies supplying Kingston. Samples are also taken at intervals and tests made at the Dairy School as to the butter fat percentages. The city by-law calls for a standard of three per cent. butter fat and twelve per cent. solids. The following are tests:—

No.	Per cent. of Butter Fat.	Per cent. of total solids.
1	5.4	15.1
2	3.4	12.1
3	3.9	12.75
4	4.1	13.02
5	3.3	11.85
6	3.8	12.57
7	3.9	12.72
8	4.0	13.27
9	3.6	12.32
10	3.6	12.02
11	3.9	12.77
12	3.6	12.12
13	3 6	11.92
14	4.3	12.17
15	3.7	12.27
16	3.8	12.70
17	3.8	12.40
18	3.2	12.00

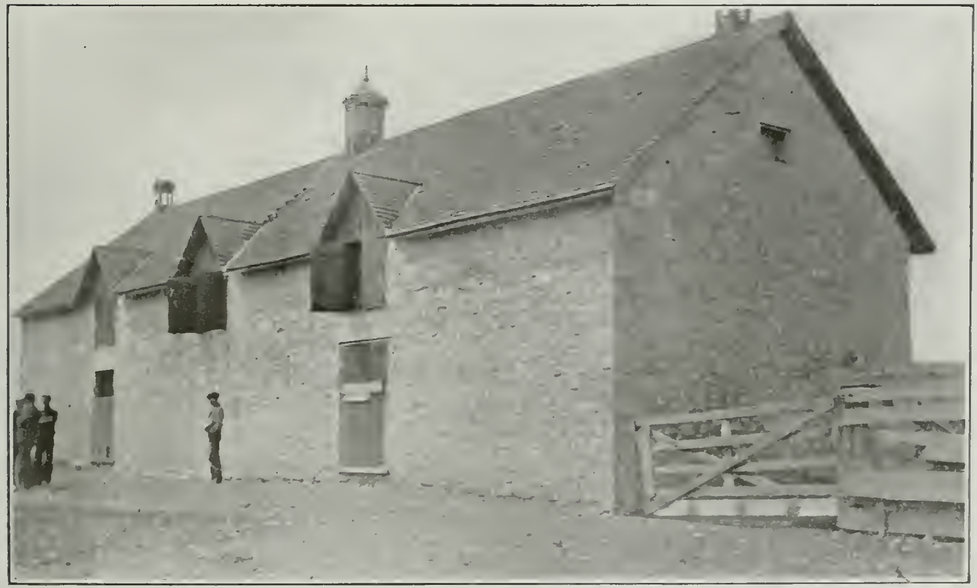
Average of butter fat, 3.82

Average of 24 samples of farmers' milk, 3.44.

Dr. John H. Bell, for many years Health Officer, although recently succeeded by Dr. A. R. Williamson, expressed the following views in answer to questions by your Commission in August last:



Pig pen near dairy stable is a menace to clean milk.



Neat and clean but badly ventilated and lighted.

"The present law relative to the inspection of dairies and the order for obtaining a license to vend milk is not very satisfactory. It appears that a license is issued on a report and recommendation of the Clerk of the Township and not from that of the Health Officer and Milk Inspector where the milk is vended. I, personally, think that the municipality in which the milk is vended should have full power to say what dairies are satisfactory and should receive a license, as they are the most interested. Of course, I know that at the present time they have an indirect method of having the license cancelled by a conference between the Health Officers of the municipality from which and to which the milk is distributed, with an appeal to the Provincial Health Department in case of a dispute, but that is too complicated to be practicable and never can result in obtaining a satisfactory milk supply from a sanitary standpoint. Again, I think that the Departmental Regulations should contain a code of rules governing the condition of the dairies and the handling of milk rather than having the local boards frame their own rules and without having any direct power to enforce the same under the existing law as the dairies are now responsible to the municipality in which they live and not responsible, only in an indirect manner, to the municipality to which the milk is vended."

STRATFORD.

Although Stratford has no by-laws governing the milk supply, the Medical Health Officer, Dr. J. A. Robertson, and the Sanitary Inspector, make an annual inspection of the twenty dairies supplying the city. They note the cleanliness and ventilation, character of the feed, healthfulness of the cows and nature of water used for drinking and washing cans. They also urge the necessity for personal cleanliness and care on the part of the milker and the wisdom of washing the udders of the cows.

All the dairies being located within a radius of five miles, the milk is delivered direct by the producer to the consumer. Bottles are but rarely used. Samples are taken on the street and the results are published, but the names are withheld. A June test showed the following figures:—

Per cent. of fat.	Per cent. solids not fat.	Per cent. total solids.
3.80	8.70	12.50
3.40	8.85	12.25
3.40	8.60	12.00
3.40	8.85	12.25
3.20	8.80	12.00
3.20	8.55	11.75
3.20	9.05	12.25
3.20	8 55	11.75
3.80	8.45	12.25
4.00	9 00	13.00
3.60	8.90	12.50
3.20	8.80	12.00

In answer to questions, Dr. J. A. Robertson, Health Officer, said: "I think the standard should at least be three per cent. Re my views as to pasteurization: mothers do not pasteurize; anything contrary or conflicting with Nature proves a failure. No tuberculin tests have been made. The cattle seem all perfectly healthy. There seems to be no sign of tuberculosis. We try to impress upon the vendors that they are responsible for the lives of hundreds of children."

ST. THOMAS.

With the exception of Ottawa, St. Thomas is the only city in Ontario making bacteriological tests of its milk supply. Last year the local Board of Health adopted a standard of 3.5 butter fat, 12 per cent total solids and 8.5 solids not fat. They also equipped a laboratory and appointed Mr. A. F. McLachlin analyst. Although the analyst was appointed chiefly to watch the water supply, Mr. McLachlin has devoted considerable attention to the matter of milk. The city has no system of regular or special inspection of the dairy farms, but W. J. Shaw, the city's energetic sanitary inspector, keeps a supervision in the city. The reports of the analyst. however, are published regularly in the papers and this is claimed to have a very salutary stimulating effect, and, moreover, the analyst occasionally goes out to the farms to make suggestions. In July the milk of one dealer showed 121,000 bacteria per cc. and the publication of this fact seriously affected the business of the dealer. He made some improvements, and in August the milk showed only 9,000. The following figures from recent tests tell their own story:—

No.	Fat.	Total solids.	Solids not fat.	Bacteria.
1....................	3.50	12.21	8.71	6,000
2....................	3.60	12.08	8.48	2,000
3....................	3.80	12.32	8.52	26,000
4....................	3.40	11.34	7.94	121,000
5....................	5.20	13.50	8.30	53,000
6....................	3.80	12.32	8.52	153,000
7....................	5.10	13.89	8.79	14,000

CHATHAM.

Two inspections are made each year by the sanitary inspector of the cattle and dairies supplying Chatham. All milk vendors must secure a license. Each month examinations are made of the milk for food value. The results of these analyses and of the inspections are published in the local daily papers. When cattle look badly run down, they are subjected to the tuberculin test. Two were so treated last year and both reacted and were destroyed. Dr. Wm. R. Hall, Health Officer, however, believes bovine tuberculosis rare in that district.

In answer to questions, Dr. Hall said: "We considered commercial pasteurization and the establishment of a municipal plant, but decided against it (1) because we believe a clean raw milk is better suited to the requirements of infants than is a pasteurized milk, and there is nothing gained by pasteurizing a clean milk; (2) because contaminated milk and milk that is unclean cannot be made fit for use by pasteurization, and the knowledge that it is to be pasteurized before use would in many cases lead to carelessness in its handling by the producer, and would materially interfere with our efforts to obtain improvements in the handling of milk by the producer; *American Medicine,* 1907, truly states 'pasteurization is a method which merely enables the dirty dairyman to keep his milk from souring until it is sold '; (3) because pasteurizing milk does not destroy the spores or eggs of infecting bacilli, and they afterwards increase more rapidly in pasteurized than in raw milk because they are not, as in raw milk, inhibited by the action of the lactic acid ferments; pasteurized milk does not sour, but does become putrid."

"Producers of milk should be subject to the rules and regulations required by the municipality in which the milk is distributed for actual consumers and subject to prosecutions for non-compliance in that municipality, i.e., the municipality consuming the milk should not be required to go into the municipality producing the milk to punish an offender.

"I was a member of the Committee that framed regulations to govern milk dairies in the Province. When approved by the Provincial Board of Health they were recommended by the Board, but had no legal status. I would recommend that they be made legal requirements. In my personal opinion, the standard of milk is perhaps a little too high in the above-named recommendations. On several occasions I have tested milk taken directly from the cow's udder in my presence and found it as low as 3½ per cent. butter fat and 12 per cent. solids.

"We have used the tuberculin test some. One year we used it on 22 cows and three reacted in one herd, all partly Jersey-bred cows. Since that we have used it six or eight times on suspicious-looking bad-conditioned cows, four being ordered out of the herd, the local Board of Health bearing the expense. I see no objection to the use of the test if properly done, but it takes time and experience to interpret results, and should be well paid for to insure good results. At a rough guess, after twenty-five years experience, I would place the percentage of tuberculous cattle in this district at about 5 per cent.

"As to how to get a clean raw milk supply at moderate cost, granting the production under all cleanly precautions and the rapid cooling necessary after milking, the great desideratum, getting the milk to the consumer without raising its temperature, is the hardest to deal with, when the cost has to be considered. At present I cannot make any recommendation, except that milk is still a cheap article of diet as compared with others and the price might be increased to attain the object."

WOODSTOCK.

Woodstock is fortunate in its milk supply in that it all comes from about a dozen farms in the immediate vincinity, and is, therefore, easily supervised. Many other cities not twice as large get their supply from four times as many places. Like London, their plan of supervision is by the semi-annual inspection of the farms, for which they pay $25 per year. Dr. Rudd, who does the inspection, reports to the Board of Health, but the reports are not published in the papers. Only a small proportion of the milk is delivered in bottles. The city endeavors to maintain a butter fat standard of 3.5 and the average usually runs about 3.8.

Dr. McLay, who has been Medical Health Officer for twenty years, expressed the following views in answer to questions:

What provincial or municipal legislation do you think is needed?

Thorough inspection of herds, byres, water supply, etc., and better remuneration to medical health officers.

Do you think a standard of butter fat and total solids is practical and desirable, and if so, what standard would you suggest?

Yes. A mixed grade ought to give 3.5 butter fat and solids in proportion for domestic use.

What are your views on pasteurization?

I have had no experience.

Has the tuberculin test ever been attempted in your district, or do you think tuberculosis is very prevalent among dairy cattle?

May have been in isolated cases. I do not think it is very prevalent in this section.

What do you think is the best plan to get a clean raw milk supply at moderate cost?

Every municipality ought to appoint a competent veterinary surgeon to examine the herds, byres, approaches to byres, cooling houses and water supply at least twice during the year and report to the Board of Health his finding. Said report may be forwarded to Government authorities. I think if such a course was pursued, our larger cities would have a better supply of milk.

BELLEVILLE.

Publicity has been found a valuable agency in Belleville. The results of inspections and tests have been published in the local papers. The city consumes about 5,000 quarts per day, and pays from five to seven cents a quart. The milk is delivered by the farmer to the city vendor, who in turn delivers it to the consumer either in bottles or in bulk. No inspections are made outside the city. An effort is made to secure milk which will test 3.5 butter fat and any vendor selling milk below this standard is warned.

Dr. Horace A. Yeomans, Medical Health Officer, expressed the following views in answer to questions:

" We think the standard of butter fat and total solids should be insisted on and is desirable in the interests of the general public, as without these we have no convenient and practical means of determining the purity of the milk.

" The tuberculin test has never been employed in this district, and as far as our observation would go has not been required, as we have had little trouble with tubercular cattle.

" Our opinion is that the Ontario Legislature should enact such laws as would place it within the power of each municipality to insist on a proper and pure supply of milk, and to severely punish a vendor for supplying an impure article.

" Our experience has been that the carelessness in collecting the supply on the various farms is more to blame than in subsequent adulteration.

" We know that milkers do not prepare themselves in any way before milking the cows, and it is a common thing to see men moisten their hands by spitting on them before beginning to milk the cow. This, of course, must give rise to sources of infection and must produce nothing like a pure milk supply.

" As to pasteurization, we have never practically advocated this, as our milk supply reaches the city within a few hours after being taken from the cows."

PETERBOROUGH.

Aside from the making of tests to determine the contents of butter fat and total solids, little practical supervision has been exercised over the milk supply of Peterborough. Provision for taking samples for this purpose and for licensing under the terms of the Ontario Statutes are points dealt with in the by-law passed in 1906.

As to quality, out of 25 samples tested in November, two showed 3 per cent., two 3.2, and the balance from 3.4 to 4.4.

In reply to questions, Dr. A. W. McPherson, who was appointed Medical Health Officer a short time ago, said:

"There should be a standard for butter fat, 3 per cent. being the lowest, and there should be one for solids also.

"Pasteurization—if we can get clean milk, it is to be desired, but if that is impossible, pasteurize. However, I think that the more we advocate and adopt pasteurization, the less effort will be made toward cleanliness, and therefore it would be wiser to advocate legislation re cleanliness. I think the dairies should be inspected regularly and the dairyman taught the value of cleanliness and how to accomplish it."

WINDSOR.

Inspections of the dairies and farms are made by Dr. Ashbaugh, Medical Health Officer, by whom quantitative analyses are also made. These analyses show butter fat quality in the neighborhood of 3.5, samples below 3 being very rare. The business is very much divided up and the milk comes from between 50 and 60 sources, including a number of small dealers who keep one or two cows. Dr. Ashbaugh stated that he had frequently urged the appointment of a veterinarian as inspector, but the suggestion had not been acted upon.

NIAGARA FALLS.

Niagara Falls secures the 700 gallons used in the city each day from a radius of twelve miles and pays six cents in summer and seven in winter. T. E. Watson, V.S., is milk and dairy inspector for the city during a portion of his time. Butter fat tests are made at intervals and inspections are made outside the city, but not regularly. A few herds have been tested with tuberculin.

Dr. F. W. Wilson, Medical Health Officer, in answer to questions, said: "We make all dealers supply milk which has a minimum standard of 3 per cent. butter fat. We in this city are particularly in need of better legislation regarding more careful handling of milk and more stringent regulations as to quick delivery after its arrival in the city, higher standards of cleanliness of those handling milk, etc. I thoroughly approve of the tuberculin test being used on all cattle, and the pasteurization of all milk. I am particularly in favour of all milk being brought to one central depot where it shall daily be tested."

ST. CATHARINES.

Up to the past summer there was no by-law regulating the supply of milk for St. Catharines. Inspections were made, however, by Dr. F. King, Medical Health Officer, and samples taken and tested. Owing to the lack of authority, however, this inspection was ineffective, and in his last report Dr. King declared that of twenty-three dairy farms, none were perfect, seven were good, seven fair, four indifferent and five bad. In fact he said, "While on many of the dairy farms the handling of the milk is unobjectionable, on some it is simply filthy and on others an improvement is much to be desired." From the necessarily limited observation of your Commission, we are not inclined to disagree with this statement.

In June last, however, the City Council adopted the model by-law drawn up by the Provincial Board of Health some time ago. This by-law calls for a high standard of food value and sanitation. It provides for the following standards: 13 per cent. total solids, 3.75 butter fat, at least 1029 specific gravity, no more than 300,000 bacteria per cc. It instructs the sanitary inspector to visit dairy farms not less than once every two months and use the score card in making his inspections. Copies of this by-law, printed on large cards, have been posted in the dairy barns, but no progress has been made in enforcing it. The city is handicapped by being situated in one of the poorest dairy districts in the Province. the land being so valuable for fruit-raising purposes.

Butter fat tests are made periodically and published in the local papers together with the names of the milk vendors. In the July test it was found that seven out of twelve samples went below three per cent. When the next test was made, however, in September, the average had been raised so markedly that only two out of twenty-four touched three and the balance scored from 3.50 to 4.75. In November there were four samples below three, two from the same place, and a large number just above three.

On the question of future legislation, Dr. King expressed the following views: "Requiring efficient sanitary conditions to be observed on all farms and other premises furnishing milk for human consumption. The language of such legislation should be clear and definite—the cleanly keeping of the cows in suitable, well ventilated and lighted stables with properly constructed stalls, floors, gutters, drains, etc.; the cleanly handling of the milk by clean individuals using clean utensils; efficient inspections of the farms, premises, cattle, stables, food, water, and utensils; all health officers to be subject to a Governmental Department and free from municipal influence and interference; the adoption of a reasonable official standard for milk with necessary authority to destroy any milk falling below said standard when intended for human consumption: authority for municipalities to establish or assist municipal dairies: the licensing of milk vending to be placed in the hands of the health authorities of the municipality wherein the milk is offered for sale.

"I think an official standard is practical and desirable as regards butter fat. specific gravity, acidity, adulteration by preservatives, temperature at time of sale and bacterial count, viz., butter fat, not less than 3.75 specific gravity 1030, temperature not above 60 degrees F. at time of sale, and not to contain more than 300,000 bacteria per cc., acidity not to exceed .02.

"I think pasteurization is desirable under the present conditions of the milk supply—of the two evils it is probably the least. Improve the condition of the milk to the standard reached by the city of Rochester, N. Y., and pasteurization may not be necessary.

"The tuberculin test has never, to my knowledge, been attempted in this neighborhood. I do not think that tuberculosis is prevalent among dairy cattle here.

"As to the best method to secure a clean raw milk supply at moderate cost, that is a complex question. I think the best plan is to refer the subject to the members of the Ontario Government Milk Commission."

IN NORTHERN ONTARIO.

Fort William, Port Arthur, and Sault Ste. Marie were the points visited in Northern Ontario. In spite of the comparative sparseness of the rural population, we found dairying had made much progress as well as farming in general. Much interest was taken in the importance of a sanitary milk supply, and at Sault Ste. Marie a model dairy was under contemplation. In the matter of municipal regulation, Fort William had had a by-law drafted and under consideration for over a year, but it had not been adopted. No regular inspections are made. At Port Arthur, Dr. Laurie, Medical Health Officer, devoted some attention to the milk supply and tests were made by Mr. Trenks, Milk and Meat Inspector. At Sault Ste. Marie a considerable portion of the supply is pasteurized by the continuous process. The town has a comprehensive by-law bearing date of January 27, 1908. It provides for the licensing of all vendors annually, said license to be granted on receipt of a certificate from a veterinary to the effect that the applicant's cows are in a healthy condition. On request of the local health authorities, the tuberculin test may be applied to any suspected animal. Requirements are also laid down to provide for ventilation and cleanliness both in the stables and milk houses. Milk must contain at least 3.3 butter fat. The regulations as to standard of milk to be sold applies to hotels, restaurants and boarding houses. The following clause concludes the regulations, the administration of which is under the direction of Dr. McCaig, Medical Health Officer:

"To the dairyman complying with the foregoing regulations absolutely, and who is further able to distribute the milk within 12 hours after milking, keeping it in refrigerators or in ice water until delivered to the consumer, the Board of Health will grant a special license or certificate stating that the milk so handled and preserved is in a safe condition for the feeding of infants deprived of their maternal nourishment."

Dr. R. J. Manion, Medical Health Officer for Fort William, submitted the following replies in answer to questions:

"The supply is fairly satisfactory but could be made more so by proper inspection and enforcement of a pure milk law. I think a standard of butter fat is desirable and I think 3.5 per cent. would be satisfactory. Where milk is doubtful I think pasteurization good but not necessarily where previous suggestions are carried out. The tuberculin test has not been used in this district. I think tuberculosis fairly prevalent among dairy cattle. I think that the best plan to get a clean raw milk supply at moderate cost is to have uniform laws in regard to milk standard and regular inspection by competent inspectors."

SOME OF THE LARGER TOWNS.

Of the larger towns, which are almost cities by virtue of population, though not by incorporation, visits were paid to Galt, Berlin, Brockville and Owen Sound. All, it was found, make more or less regular tests of milk for butter fat. In Berlin no sample went below 3.4, while the average for the nine months of the year for each dealer ranged between 3.5 and 4.2. At Galt comparative tests were made of night and morning milk, with the following interesting results:

Morning.	Night.	Morning.	Night.
3.9	3.8	2.7	3.9
5.1	5.1	4.	4.
3.9	4.1	3.6	4.4
3 3	4.3	3.5	4.2
3.7	3.9	4.	3.

In Galt, Dr. Vardon, Medical Health Officer, makes no inspection of dairies, but inspections are made occasionally by the Chief of Police. In Berlin, regular inspections are made by a veterinary surgeon. Brockville is one of the few places where the by-law includes a clause providing that no milk tickets may be used twice and that duplicates of tickets must be submitted to the Town Clerk. In Owen Sound, a modern, progressive by-law regulating and licensing milk vendors was passed on February 24th, 1908, and regular inspections are made by Dr. H. G. Murray, Medical Health Officer, and the Sanitary Inspector. This by-law provides that no license shall be issued until the form prescribed by the Board has been filled in. Upon application being made for license, an inspection is made by the town Board of Health of the premises which it is intended to use either as a distributing plant or dairy farm. No milk may be sold if it has been adulterated, if it has been kept at a temperature above fifty degrees, if it is produced from cows stabled under unhealthy conditions, or if it is produced from a farm where any contagious or communicable disease exists. Milk is to be considered adulterated if it contains more than 87.50 per cent. water, less than 12.5 total solids, or less than 3.5 butter fat. The premises and appurtenances thereto must be kept "clean and wholesome at all times." Buildings must be kept whitewashed and accumulations of dung removed twice daily and one hour before milking. Cows must be kept clean and the udders brushed, washed or wiped before milking, with a clean cloth. Milkers and those engaged in handling milk must observe strict cleanliness. Attention is also paid to feeding and sanitation.

From the standpoint of quality, the tests ranged from 3 to 4.25, the average being around 3.5.

Being perhaps the only thing of the kind in use in the Province, it is of interest to quote the form which must be filled out in order to secure a license to sell milk from a wagon:

To the Board of Health of the Town of Owen Sound:

The undersigned hereby applies for a license to sell milk in the Town of Owen Sound, and makes the following statement in accordance with the by-laws of the Corporation, approved February 24th, 1908.

(Replies to the following questions must be written in ink.)

1. Is milk produced on premises owned or controlled by you?
2. From whom is milk purchased and give address of each person?
3. Over what road and at what time does your milk arrive in the town?
4. Location of dairy?
5. Number of cows?
6. Breed of cows?
7. Are all in good health?
8. Have cows been tested by use of tuberculin?
9. How are cows fed?
10. How many hours per day are cows in pasture during summer season?
11. How is milk cooled before leaving your dairy or residence?
12. How are your bottles and utensils cleaned?
13. Have you read the By-laws and Rules for handling milk adopted by the Council and Board of Health?
14. In handling milk do you agree to conform to the By-laws and these Rules?

15. Do you so agree to provide your wagon with ice that the temperature of the milk shall not rise above 50 degrees?
16. If milk is sold from large containers, do you agree to keep same covered and in an ice-box at all times and to provide and use a long-handled dipper that the milk may be stirred from the bottom before each sale?

Every one of the above questions must be answered before a license will be issued.

Dated at Owen Sound

day of 19

Signature ....

Address ....

On the form of application for license to sell milk from depot the following question is included:

"5. If milk is sold from large containers, do you agree to keep same covered and in an ice-box at all times, and to provide and use a long-handled dipper that the milk may be stirred from the bottom before each sale?"

This by-law is being enforced with excellent results.

CHAPTER III.

Being a Brief Record of Conditions Found on Dairy Farms, Showing the need for a much Higher Average.

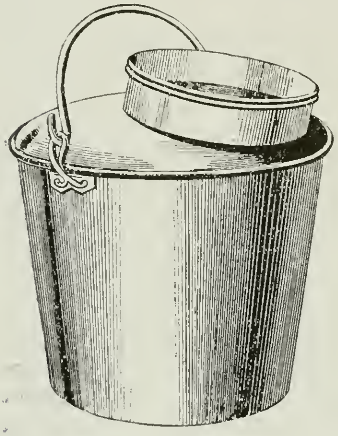
In visiting the cities and towns in all parts of the Province, your Commission also visited a few of the farms surrounding these cities and towns. In the "production, care and distribution" of milk, it was recognized that the most important part is the production. While milk may be contaminated in the distributioon and through lack of care thereafter, it can never be made pure and wholesome if it is contaminated at the source of supply. The source of supply must be the starting point in any consideration of this great question. Altogether, we visited upwards of one hundred different dairy farms in all sections of the Province. An effort was made to see all kinds—good, bad and indifferent—not with the idea of being able to pass mature and final judgment upon the conditions around any one city, but rather to gain an idea as to conditions in general throughout the Province.

Dairying, with few exceptions, is carried on as part of mixed farming. Dairy stables therefore are most invariably just part of the general barns. There are probably not more than a dozen and a half exclusively dairy stables—utilized solely by cows—in the Province. The average barn is the bank barn, which means that the cattle are usually stabled under the same roof as the horses, with the grain stored above both. In some cases the cattle are completely partitioned off from the horses, but often this is not done. The old idea in the building of a bank barn was to secure the maximum of warmth, and in the great majority of cases this has been accomplished at the sacrifice of light and ventilation. In altogether too many instances they are dark and lacking in pure air. In some of the best bank barns the ceilings were found low and the windows very small.

To these stables the cattle come only for milking in the summer, but in them they live in the winter. Many stables were found to be equipped with stanchions and with troughs or fixed small tanks for water. In a number of cases the water trough was located at the pump or windmill some little distance from the buildings, but in a few instances the water supply was right in the barnyard and was surrounded by foul-smelling, stagnant pools. In the matter of cleanliness, there was the same great diversity of standard. In a few notable instances the manure was taken out of the stable once or twice a day and immediately hauled a hundred feet or so from the barn, but the piles of manure which may be seen close to the average stable door prove that this practice is not as common as could be desired. It was frequently noticed, even in fairly good barns, that the ceilings were decorated with numerous cobwebs, or hay or straw from the barn above. A large number, however, were found to have concrete floors and the use of concrete for this purpose appears to be steadily on the increase. In some cases care had been taken to prevent dust by having the stable ceiling of grooved and tongued lumber or rougher material of double thickness with paper between.

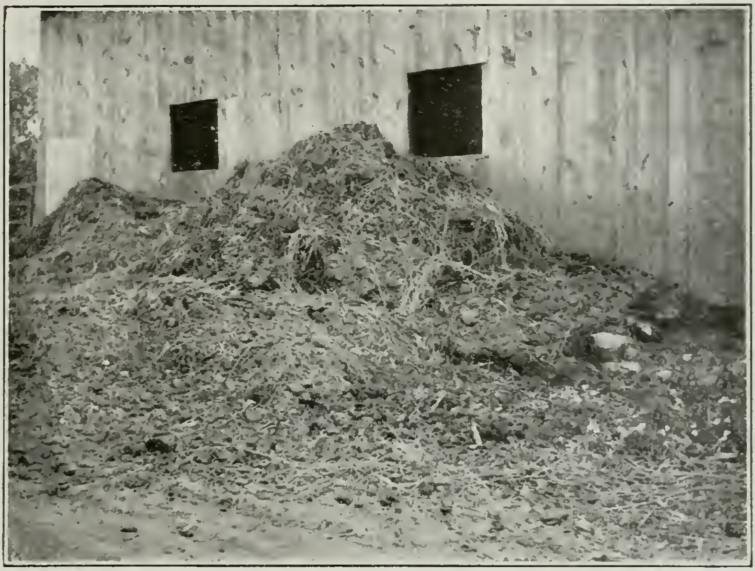
METHODS OF HANDLING MILK.

In addition to producing, some dairymen adjacent to the smaller cities also do their own distribution, and on such farms the equipment is naturally more elaborate. A few even are equipped with bottling plants. Where the milk has only to be taken to the gate or to the city in an eight gallon can, the equipment is not so complete. In the first place, the matter of washing the milk pails and cans is generally looked after by the women of the house and the sight of the milk pails and cans standing upside down against the wall of the milk house in the open air and sunshine is a familiar one on the Ontario dairy farm. The ordinary broad-top pail is in common use, very few small-top pails having yet been adopted. No particular attention is paid to the matter of the milking stool and one of wood constitutes the almost invariable type and often far from clean. It is probably safe to say that the majority of dairy farms are now equipped with a milk house of some kind, some merely a simple, wooden structure and others of more pretentious brick or cement. It cannot be said, however, that the majority have ice houses, although a considerable number have. The majority rely on cold water from the spring, and especially in the numerous well watered dairy sections, there is a plentiful supply of this. Those who have not milk houses have a tank fitted up in some convenient place or have a room off the stable equipped with an aerator over which they run the milk to cool it immediately after milking. Recent experiments conducted by the Department of Agriculture at Ottawa and dealt with at greater length in another chapter, show that this is to be strongly condemned. In one instance it was found that a big concrete tank for cooling the milk had been built in the stable immediately behind the cows. This was done to "save trouble" and quite oblivious of the contaminating effect it would have on the milk. Although it is carried out with varying degrees of efficiency, the wisdom of prompt chilling of the milk is very generally recognized. One case, however, was found where the dairyman explained that he did not bother cooling his morning milk because his customers in the city thought they were not getting it fresh unless they got it warm from the cow. On the other hand, a dairyman in Northern Ontario followed the laudable practice of using cans with ice tubes which extended from the lid about one-third down the can. The ice therein contained was a guarantee that the milk would not attain an abnormal temperature before being delivered to the consumers.


Small-top pail reduces contamination by twenty-five per cent.

PLENTY OF ROOM FOR IMPROVEMENT.

These few general commonplace facts constitute the story of the methods in vogue on the dairy farms of the Province. Something more definite is essential, however, in order to determine the necessity or otherwise for reform and improvement. Looking at the matter from the Provincial standpoint, we are bound to say that we found no basis in fact for the sweeping and alarmist statements which are sometimes made in reference to conditions on the farm or the scathing denunciations so often heaped indiscriminately upon the dairyman. In so saying, we do not wish to conceal the fact that in a percentage of dairy farms the premises and methods are so filthy that they would not be tolerated for a minute in any other place where food for human consumption was being produced. Thanks



A not uncommon Ontario stable yard, through which cows must wade to the milking place.

But many careful Ontario dairymen remove manure promptly to a considerable distance to secure cleanliness in milking.

to the high standard which has been attained in a few sections, notably Ottawa, the general average in Ontario would probably compare favorably with other provinces or states. We are confident that for cleanliness and sanitation many of the barns we visited in this Province would score as high as any on this continent, aside of course from that special class represented by the Tully and Brookside farms. But this is not a matter which can be "averaged" in the usual sense, for it is obvious that good conditions in parts of the east and bad conditions in parts of the west do not make average conditions in the centre. It was satisfactory, however, to find that it is unnecessary to go outside our own Province for types which may well serve as a standard to which all should seek to attain. About ten per cent. of the places visited seemed to be totally unfit to be in the business of producing human food at all. The barns were dark and dirty, with practically no ventilation and consequently an abundance of germ-laden atmosphere. A slovenly carelessness characterized the premises and naturally also the people responsible therefor. About these there was scarcely a redeeming feature, and their continuance in the business was due solely to the fact that the consumers did not know where their milk came from. On the other hand, in the case of probably sixty per cent. of the barns, the expenditure of from $10 to $50 and a little extra work would effect an improvement of fifty to seventy-five per cent. The owners were doing what they considered necessary, but at the same time exemplified the truth that there is a vast difference of opinion as to what constitutes cleanliness.

Well lighted, well ventilated, well drained Eastern Ontario stable.

OTTAWA LEADS THE PROVINCE.

It is only fair to say that the best conditions prevailed where the greatest attention was paid to the matter and where the closest supervision was exercised.

In this regard the barns surrounding Ottawa easily lead the Province, while London and Woodstock are deserving of special mention. In all these places a veterinarian has been engaged inspecting the premises and instructing the farmers to attain and maintain a high standard. A dozen barns chosen indiscriminately in the vicinity of Ottawa were visited when the cows had gone into their winter quarters. Every one of these was nicely whitewashed and free from cobwebs. dust or other dirt. Almost all had cement floors which were cleaned out twice a day, the manure in many cases being loaded right on a sleigh and hauled away. A separate milk house was located twenty-five feet or more from the barns, which were generally well supplied with water. light and ventilation. In addition to all this, the cows were kept looking sleek and clean. the hind quarters and the udder being closely clipped in almost every case. In one barn the operation of clipping the cows was in progress when we called and we were informed that it only required about ten minutes to go over each animal. The result not only improved the animal's appearance, but made it an easy matter to keep it clean during the winter months in the stable and thus greatly minimized the danger of contamination to the milk. This very commendable practice appears to be adopted to a much larger extent around Ottawa than in any other part of the Province, in many portions of which it is entirely unknown. Individual premises equally satisfactory were found in many other parts of the Province, but the uniformity of the high standard of the stables visited around Ottawa impressed your Commission as reflecting credit on the intelligence and progressiveness of the farmers as well as on the supervision of the municipal authorities, and constitutes an example worthy of general emulation.

Of the other exemplary illustrations, a farm in London Township may be cited. The owner kept a herd of 30 to 40 grade cows which were all bought subject to the tuberculin test. The barn was the one shown in the cut as "an average Ontario bank barn." While it did not have quite as much light and ventilation as might be desired, the interior was whitewashed twice a year and the floor sprinkled with lime daily. The manure was hauled over one hundred yards from the buildings. Before milking the udders of the cows were well brushed. The milk was promptly removed to the milk house twenty-five yards away, where it was promptly cooled. This milk is delivered in the city at five cents a quart, chiefly in large quantities to hospitals and hotels. In almost every district a few such illustrations are to be found leading the way to general improvement.

CHAPTER IV.

Being the Story of the Efforts on the part of Rochester, Syracuse, New York and Detroit to Secure a Clean Milk Supply and of the Working of the new Pasteurization Ordinance in Chicago, as Gathered by a Personal Visit.

In deciding to undertake a visit to large American cities, the Commission recognized the fact that pure milk is primarily a problem of large populations, and was actuated by a desire to acquaint itself with the methods being adopted by the populous metropolitan centres upon which the problem has been forced.

The feature of the Rochester supply is undoubtedly the infants' milk depot plan as described in another chapter. For safeguarding the general supply, Dr. G. W. Goler, the Health Officer, administers a system of inspection which extends from producer to consumer. Dr. Goler is a strong opponent of pasteurization. He described it to your Commission as resulting in "cooked dirt," as encouraging uncleanliness on the farm and as being injurious to infants by "killing the more harmless micro-organisms while leaving the more dangerous to multiply." "Commercial pasteurization," however, is carried on by a number of the dairy companies of the city. In addition to inspection, Dr. Goler believes in a bacteria count as an indication of the conditions under which milk is handled and also in making a systematic fight against tuberculosis.

Rochester's standards are as follows: For butter fat and total solids, 3 per cent. and 12 per cent.; for bacterial count, 100,000; for temperature, 50 degrees. No pretence is made to drag a man to the police court if his bacterial count goes above 100,000 or if the temperature of his milk runs above 50 in very hot weather. In fact, in 1908, 1,015 bacteria samples only 42 per cent. were under 100,000 and the average was 415,572. But as soon as a milk sample goes above 100,000, the attention of the dairyman is called to the matter, and should it go above on three successive counts, his milk is refused admission to the city. Similar latitude is exercised in regard to the temperature test. It is desired to impress upon dairymen the necessity for keeping the milk cold during transit to the city by either train or wagon, and very gross violation is accepted as justification for keeping milk out of the city.

During 1908, W. O. Marshall, Rochester's Chief Milk Inspector, visited 928 cow stables in the country and 457 milk rooms in the city, some of each more than once. The score card system is used. During the year, 87 producers were refused admission to the city because of the unsanitary condition of their barns or their unsanitary way of handling milk. Almost all of these followed the suggestions of the health officers, and in the course of a few weeks made such improvements as led to the rehabilitation of their reputation and the re-admission of their milk to the city market. Of course, drastic action, such as keeping a producer out of the city market, occasionally raises a storm and recourse to law is taken. But Dr. Goler claims he has authority under the city charter to protect the health of the citizens in this way, and although actions have been launched in the courts, his authority has never been successfully disputed. Thus, by the gentle persuasion of visits by inspectors and by the more drastic persuasion of force, the Rochester Health Department is seeking to educate the dairy farmer up to a high standard of cleanliness. Thanks to the goodly strain of Jersey blood in the milch cows, the butter fat average of 3,281 samples in 1908 was 3.9. There is therefore nothing to complain of on that score. But as to cleanliness and the sanitary condition of the dairies, either in the country or in the city, Dr. Goler does not claim perfection. In this your Commission, after personally visiting several dairies and farms, are not inclined to disagree with him. They regard themselves as unfortunate in being unable to find much in the places visited that would be any inspiration to the dairymen of Ontario.

DEALING WITH TUBERCULOSIS.

But there is one other feature of the Rochester system which seems well worthy of special notice and that is their method of dealing with tuberculosis. "Do you accept the theory," Dr. Goler was asked, "that the bovine tuberculosis is communicable to man?" "As far as adults are concerned," was the reply, "I have never been able to positively identify the bacillus, but as far as children are concerned, there is absolutely no doubt of the transmissibility." In fact Dr. Goler went on to say that he was convinced by his own experience that fifteen per cent. of the tuberculosis among children is of bovine origin. He had not yet, however, thought it practicable to insist on the tuberculin test on all cattle supplying milk to the city, but some six months or so ago he began a series of tests on guinea pigs in the laboratory which occupies the top floor of his East avenue office. Guinea pigs, which, as is well known, are peculiarly susceptible to tuberculosis, are inoculated with a sample of milk and then left for six weeks, at the end of which time they are killed. It so happened that on the occasion of the visit of your Commission the time had arrived when several of these animals should lay their heads on the altar of science. "See here," explained Dr. Goler, as he exposed the internal organs to the view of your Commission, "those little white spots are lumps of tubercles or tubercles filled with germs of consumption or tubercle bacilli. That is what we call ocular demonstration, for it is visible to the layman who is not a doctor. We hold that that proves conclusively that the milk was laden with tubercular bacilli, and we send this ocular demonstration to the man from whom the milk came and then we say to him that unless he has all his cattle tuberculin tested within a week, his milk will be shut out of the city." Although this plan was adopted only a short time ago, it has resulted in several herds being tested and several tuberculous cows being disposed of. As will be explained later, the matter of tuberculin testing and compensation for losses is handled by the State authorities.

With regard to contagious diseases, Rochester has a regulation compelling all milk producers to report all such outbreaks promptly to the Department, and in 1908 the inspector spent 28 days investigating contagious diseases in the families of milkmen.

PASSING ON TO SYRACUSE.

Syracuse has not loomed large in the literature of the milk question and yet from many points of view it proved one of the most interesting places visited by your Commission. Although it is a city of only 124,000 population, its municipal organization includes in addition to the health officer, a deputy health officer, who devotes most of his time to the milk supply; a dairy inspector, a veterinarian, and a laboratory where bacteriological and other tests are made, all of which support its claims to being distinctly progressive on the subject. As is the case in other American cities, this constitutes a branch of work which comes under the supervision of an official known as the Commissioner of Public Safety. Dr. D. M. Totman is the Medical Health Officer, and Dr. Thos. F. Foreman, Deputy Health Officer, and to these gentlemen, headed by their Chief, S. T. Friedrich, Deputy Commissioner of Public Safety, your Commission desires to express their indebtedness for many courtesies and much kindness.

But this equipment, at least in its present completeness, is of recent origin and incidentally for that reason evidences the growing interest and importance being attached to the question of the milk supply. The present system was inaugurated only about two years ago and its efficiency was soon tested by the tracing of a couple of epidemics of disease directly to the milk supply. A ledger is kept to record the number of contagious diseases on the route of each peddler. This is called the "tell-tale ledger," and in September, 1907, the tale it told was that eight cases of typhoid fever had broken out on the route of a certain milk producer, and upon investigation it was found that two cases of typhoid fever existed in the family of the producer. The milk supply was immediately prohibited from entering the city and the epidemic was checked. A few months later an epidemic of diphtheria broke out and it was also described as being "milk borne" and proved to be more than usually virulent. Altogether nearly forty cases got headway before the disease was stopped. They were found to be on three milk routes, the majority being on the route of a man in whose home there had been two cases of diphtheria during the summer and fall, and the balance on the routes of two men who got their supply from the first mentioned producer. Thus the entire outbreak was traced to the same source.

EDUCATION AND CO-OPERATION.

When Syracuse started out to deal with the milk problem in a systematic way, they first had a set of ordinances to be known as health ordinances, adopted by the City Council, but the underlying keynote of their system has been co-operation and education on the part of those responsible. It was after some agitation that these ordinances were adopted by the council. They embodied many of the regulations in force in other cities and some others. They first of all set forth clearly that no milk should be sold:

(1) Containing more than 88 per cent. of water or fluids;

(2) Containing less than 12 per cent. of milk solids;

(3) Containing less than 3 per cent. of fats;

(4) From which any part of the cream had been removed;

(5) Having lactometer reading less than 29;

(6) Containing any boric acid or salicylic acid, formaldehyde or other foreign chemicals.

(7) Containing bacteria of any kind more than five hundred thousand (500,000) per cubic centimetre;

(8) Drawn from any cow having a contagious or communicable disease;

(9) Drawn from any cow within fifteen days before or five days after parturition;

(10) Having a temperature over 60 degrees or which has been stored at a temperature higher than 50 degrees F.

Then in addition to providing for the sterilization of the bottles, the regulations went one step farther. They provided that no milk or cream should be sold in any store or shop except from bottles and except when kept at a temperature of less than 50 degrees F. Keeping milk in a living or sleeping room or in a room not kept clean at all times or in cans not made of well-turned iron with inner surface smooth and free from rust is strictly forbidden. A city inspector is employed to see that these regulations are enforced.

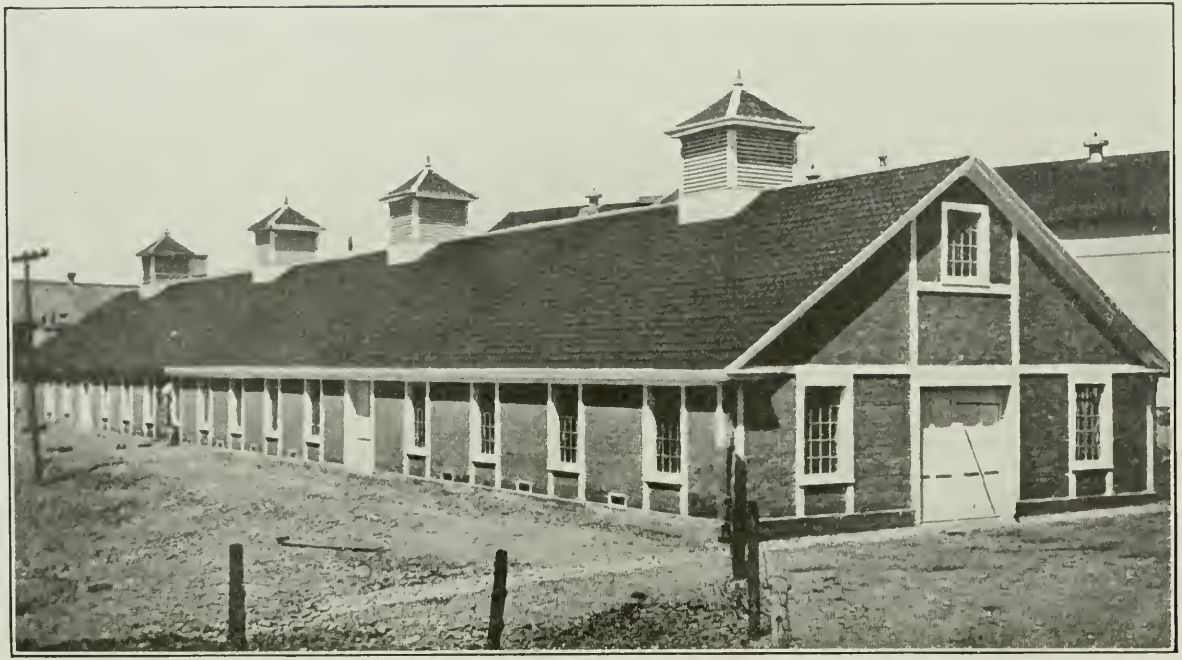
AIM AT CLEANLINESS RATHER THAN PASTEURIZATION.

But a strong feature of the work was the securing of cleanliness at the source of production—the farm. The Health Department did not adopt or even encourage pasteurization; in fact the Health Officer expressed himself to your Commission as being convinced that pasteurized milk was injurious to infants under one year of age, producing rickets and scurvy in some cases. To secure cleanliness on the farm a dairy inspector with tact as well as knowledge was secured, and he, sometimes with the Health Officer or his assistant, went out among the dairy farmers and quietly explained things to them and showed how improvements could be made with advantage to themselves and safety to the public. One result was that although efforts toward reform were met with the objection that it "would drive the farmers out of the dairy business," there were 317 in the dairy business at the time of the passing of the by-law and there are now 400.

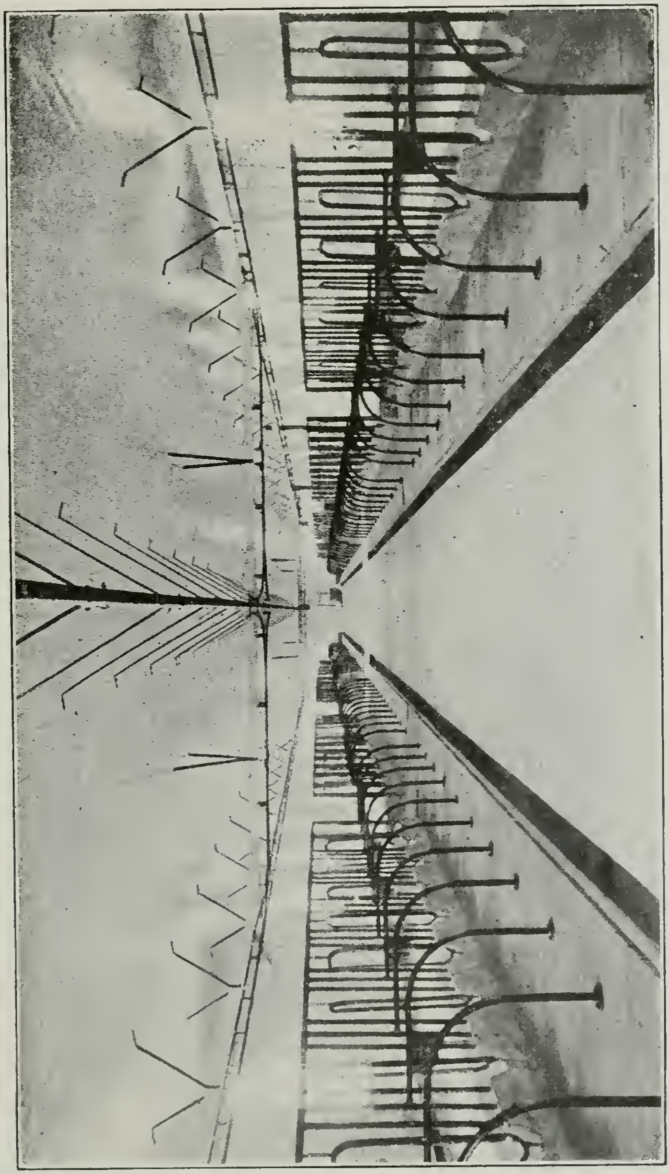
The system adopted was the score card system drawn up by the Washington authorities. It was provided that no license should be granted to any dairy which did not receive a total score of 50 per cent. or better and also that any license could be revoked if the premises fell below a 50 per cent. score. Applicants were required to state the source of their milk supply and so the conditions in the country were passed upon by an inspector before the license was granted. The progress made is shown by the comparative figures for two years. In 1907, the average score was 51.45; in 1908, it was 64.33. In 1907, there were 7 between 70 and 80, and in 1908 there were 37; in 1907, there were three between 80 and 90, and in 1908 there were 31; in 1907, there were 3 between 90 and 100, and in 1908 there were 8, 4 of the latter scoring 99. There were 5,759 cows supplying milk to the city and all these were inspected by a veterinarian, 47 being removed because of bad udders and teats and one suspicious herd being tested with tuberculin and 11 condemned.

CLEANLINESS DOWN TO A SCIENCE.

If there is anything in the power of a good example, then Syracuse is fortunate in having among its dairies the Tully Farms. At the Tully Farms cleanliness has been reduced to a science, if not to fastidiousness. It may as well be understood in the first place, however, that the Tully Farms are owned by a wealthy manufacturing company, the Solvay Process Company. Finding they were being prosecuted for damages as a result of sinking drills which were necessary in their business, they decided to purchase outright two or three thousand acres about twenty miles from Syracuse. Only requiring a small portion of this area in their manufacturing process, the owners were induced to go into the dairy business and they went in on broad, generous, ideal lines. A brief description of their premises and methods may be of interest as evidencing the importance and dignity with which modern thought has invested milk and its production, even though the standard attained may not be within the reach of the average dairyman.



Tully Farm model stable.



Interior Tully farm model stable.

It is somewhat of a temptation to dwell with poetic fervor on the alluring pastoral scene into which the grazing kine, the green hills and the nestling lakes which make up the Tully Farms might be painted. But it is the utilitarian rather than the artistic aspect of all these things which must be made prominent. The "grazing kine" are just cows—tuberculin tested. sound and healthy to be sure—but not thoroughbred or specially fancy. The "'green hills" are appreciated for the pasture they afford rather than for the not unimportant part they fill in the landscape scheme of Onondaga County. And the "nestling lakes" are worthy of note in this chronicle because their very adjacency enables the barns to be supplied with plenteous quantities of pure water which from time immemorial has been one of the first aids to cleanliness.

KEEPING EVERYTHING CLEAN.

As the Commission entered the Tully yards one bright afternoon just before milking time, they were impressed with what a handy thing it is to have an abundance of water on the premises. A large hose attached to a nearby hydrant had just completed the laying of the dust all around the cow barn where the milking is done, and especially in the vicinity of the doors. "That," explained G. C. Watson, the General Manager, who with R. D. Woolsey, A.M., LL.B., Dairy Superintendent, showed your Commission every courtesy, "helps to keep down the bacteria by minimizing the possibility of any bacteria-laden dust getting in the milk."

Inside the barn, which is of simple enough construction of stone walls, cement floors and iron stanchions, the same generous distribution of water was in progress. But before entering it is to be noted that everyone had to put on a clean white coat lest some of the dust from their clothes contaminate the barns or cows. The hose is turned on the ceiling, the floor, and the cows, until only a few irrepressible flies are left to remind one of the unceasing menace of the germ kingdom. But the cows are not yet ready to be milked. A man goes along with a pail and a cloth and washes off the rear flanks and udder. This operation is repeated by a second man, and a third devotes his attention to the udder only. By this time—which is after all only a matter of a few moments—it is regarded as reasonably certain that the cow will not give anything but milk, and men in sterilized white suits, clean every morning, seated on sterilized metal stools, proceed to milk with sterilized, manicured hands into sterilized, small-top pails. As each cow is milked—and of course the fore-milk is always discarded—the milk is carried to a little room at the side where it is weighed and the weight recorded, together with the number of the cow and the number of the milker. This enables the company to tell whether a cow is keeping up its record and whether the milkers are keeping up theirs. This record duly made. the milker goes back to another cow, but of course not without first washing his hands.

VERY LOW BACTERIA COUNT.

From the little milk room, the milk is quickly transported across to the bottling plant some twenty yards away. This building is of concrete, and including the plant is said to have cost $40,000. The bottling room is absolutely dust-proof and no one is allowed to enter except one or two employees who direct the machinery. The milk passes over the cooling apparatus, then through other tubes into the bottles, which are already in the boxes and which are immediately shifted to another point where the covering is placed on by the same automatic machinery.

Thus it is not necessary for employees to touch the milk at all, and the bottles, capped and sealed. are immediately stored in the ice room until they are shipped to New York in the morning, bountifully buried in ice.

All this conduces to a low bacteria count, never above a thousand and sometimes as low as two or three hundred. If the count goes above one thousand, there is an investigation at once. This milk is sold for 12 cents net by the producers. It is certified by the Academy of Medicine of Syracuse.

No hay or food is kept in the barns and the droppings are frequently taken away in a truck.

When the cows are kept in the barn during the cold weather, a night man is employed at the barn, a sort of "night nurse." It is his duty to see that all the cows are safe and comfortable. If any cow gets twisted in its stanchion, the night man is there to relieve it. Then, too, a veterinarian is always within call.

The management does not accept the doctrine that it is better to have one man milk the same cow always. They figure that while there may be merit in this idea, if a cow gets accustomed to one particular milker, and then because of illness, holidays or other cause which is bound to occur, the man is away, the change does more harm to the cow than the other system does good.

The Tully Farm Company has two other herds, in all some 300 cattle, said to be handled in like manner, but of course we had time to visit only one.

THERE ARE OTHERS ALSO CLEAN.

This farm receives a score of 99 on the score card system, but the Commission was shown another dairy farm which also scored 99 and which did not have the expensive, if not lavish equipment herein described. It was not large or showy, but the stable with its cement floors and stanchions was kept neat and clean, as was also the cooling and bottling plant a short distance away. The proprietor and manager was a big, good-natured man who said he drank a quart of milk every night before retiring and thus got interested in the question of pure milk. He declared he was making money selling milk at ten cents a quart and had no difficulty in getting customers for all he could supply, although the regular price in Syracuse was seven cents a quart.

Still another farm at which the milk which retailed in the city at seven cents was produced was visited. It was managed by two young farmers to whom the dairy business was only a branch of their farm labours. They had an ordinary bank barn, but the interior was whitewashed and clean and there was a noticeable disposition to make the best of the facilities at their disposal.

In fact, as has already been commented, what impressed the Commission was the spirit of co-operation which evidently existed between the health authorities of the city and the milk producers of the country. The health authorities endeavored to be reasonable and the farmers endeavored to meet reasonable requests in improving their premises.

Dr. Totman described the results obtained after two years of inspection as "simply marvellous."

NEW YORK'S ENORMOUS PROBLEM.

In the city of Greater New York, we had an opportunity of studying the methods taken to safeguard the milk supply of practically twice the population of the entire Province of Ontario. packed into only a fraction of the area. To supply nearly five million people with nearly two million quarts of milk a day—that is the enormous problem of New York, a problem enhanced by the varying classes, races and languages, from the millionaires of Fifth Avenue, who can pay twenty cents a quart, to the poor struggling mothers of the Bowery who must buy their milk by the half pint. Dr. Thomas Darlington, Health Commissioner, is the man upon whom falls the responsibility of protecting these millions as far as may be from contaminated milk. Nearly six years ago he accepted this responsibility, and the record of reform which he has achieved not only attests his success but furnishes an inspiring story to those who face the same problem in less complicated form.

Before Dr. Darlington became Health Commissioner, he was somewhat of a specialist in infantile diseases, and hence his sympathies as well as his energies were promptly directed towards improving the milk supply with a view to saving the lives of the babies. He was confronted with the fact at the outset that the milk of New York City came from about 35,000 farms scattered through six States extending as far away as 400 miles. There had been considerable trouble with both water and formaldehyde in the milk and each person who handled the milk put the responsibility on the other. Dr. Darlington concluded that a definite plan of action was imperative and he decided to find out exactly what conditions were.

Two experienced inspectors were engaged to make a preliminary survey. They went to the dairies, they went to the "creameries," they went to the milk shops. "Creameries," be it understood, are a feature somewhat peculiar to New York City and do not mean the same as the word "creameries" means in Ontario. They are merely the milk receiving stations, located in the country, to which the milk is delivered by the farmers before being shipped to the city. There are between 800 and 900 of these stations in the multifarious organization which supplies milk to New York. To these the inspectors went, and to some of them Dr. Darlington accompanied them, to become personally acquainted with the conditions, and the loss of his breakfast was one of the incidents indicating conditions at one point of inspection. In fact there was nothing very encouraging in the entire situation, but a start was immediately made to raise the standard. A personal letter was sent both to farmers and creamery owners stating specifically what was necessary to improve their particular premises. Photographs taken on the spot were sent out to further accentuate the necessity for improvements. An attitude of firmness was maintained by the Health Commission alike toward the large creamery proprietor who had $100,000 at stake and the small dairyman of whom an outlay of $5 was all that was asked. Regulations were adopted and instructions printed on strong, durable linen, and 30,000 copies of these were posted up for the guidance and education of the dairymen. Then all this was followed up with more detailed and more rigid inspection. There was a loud outcry that all these restrictions would drive the farmers out of business, and it drove out exactly 47 out of the total 35,000, and most of these were admitted after they had made the required improvements.

CLEANLINESS THE MOTTO; INSPECTION THE METHOD.

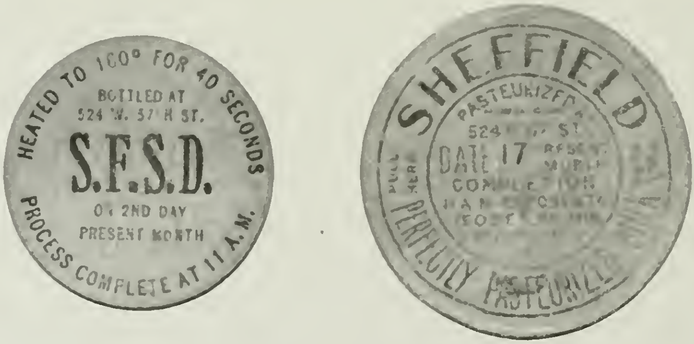
Dr. Darlington is a firm believer in the merits of inspection and information. He considered that clean milk was the ideal after which the Department should strive and to obtain it he inaugurated a system of inspectional supervision extending as rigidly as possible from the cow to the consumer. Heretofore there had been inspectors in the city, but inspection of the farms—the sources of the supply—was made the strong feature. Soon the territory shipping milk to the city was divided into districts and sixteen country inspectors were at work with the result that in 1907 there were 22,500 inspections of dairy barns and 8,900 inspections of milk receiving and shipping stations. The Department did not claim any real "authority" to inspect outside the municipality of New York, but they did claim the authority to designate the conditions under which milk should be produced and handled before it was admitted to New York, in proof of which over 41,000 quarts of milk were destroyed in 1907 because of being either over 50 degrees temperature, being sour or being adulterated. While some objection was offered at first to the inspection of the farms and the inspectors were dubbed "Darlington's Devils," it did not prove either general or enduring, and the inspection has now come to be looked upon as a distinct advantage. The farms by the score card last year averaged 57 per cent. and this year it is expected they will average ten points higher. But the usefulness of inspection with the score card system has been demonstrated in other concrete forms. For instance, some of the larger milk companies have given notice that the whole contract price will be paid only to those dairies scoring 60 per cent. or over, a lower price will be paid to dairies rating below 60 per cent, and no milk to be accepted from any dairy not scoring 50. Thus a good score has a commercial value, and this is further taken into consideration in the sale or rental of the farm. By way of educational influence, the milk inspectors deliver addresses at Grange meetings, at Farmers' Institutes, and before Agricultural Societies, Boards of Trade and Departments of Health. That this is not driving men out of the dairy business is shown by the fact that there are now more than 5,000 more farms supplying New York than when the inspection was first adopted. Then, too, inspection of the receiving and shipping facilities and the large distributing plants and small stores is maintained vigorously.

MILK STORES IN THE SLUMS.

Members of your Commission accompanied one of the inspectors on some of his rounds in one of the poorest and most congested sections of New York. Milk is sold from cans in quantities of from one-half pint up, in stores which also serve their customers with groceries, cheese, butter, eggs, meat, vegetables, fish and numerous other household necessities. Little do these people—uneducated foreigners most of them—know of hygiene or bacteria, and such conditions are the despair of sanitarians. Back of one little store was a living-room, perhaps ten by twelve feet; off this room was a disgusting, ill-smelling lavatory, which also served as the sole passageway to the single bedroom, about six by ten in size, dank, low and without light, without air, without sunshine. Here human beings lived and did business and here milk was sold. It would be idle to expect anything like perfection, and yet it was evident that the vendors, even though they could speak little English, had a healthy respect for the milk inspector, a respect probably born of police court experience which is notoriously expensive. It was evident also that through careful supervision the milk was handled in a manner which practically assured its being at least purer than the surrounding atmosphere. In the first place the milk cans, which are of course covered, are kept in round wooden tubs surrounded by ice. These tubs are also kept covered and are placed at the front of the store. In fact there is not supposed to be any passageway between the store and living room, though this ordinance is sometimes evaded. However, by keeping the milk cans in covered ice tubs at the front of the store, it is kept from coming in contact with other commodities. Then, in the second place, the vendors are being educated to use the "one-piece dipper." It is just the ordinary shaped dipper only the handle and cup are of one piece and there are therefore no joints or corners to collect and secrete the filth which might accumulate during the frequent openings of the cans and dipping of the milk. Altogether it seemed evident that considerable had been done by inspection to safeguard the milk supply even of the slums.

"HEATING," DISTINGUISHED FROM PASTEURIZATION.

Officially, New York's Department of Health is opposed to pasteurization. Naturally, there has for some time past been a big agitation to secure a pasteurization ordinance, but thus far it has failed. One explanation as given by Dr. Darlington himself is simply this: "If I went to the Board of Estimate for money, they would say, 'Is pasteurization the remedy for the milk supply?' If I should say 'yes,' they would ask, 'Why spend money inspecting the farms?'" Hence, Dr. Darlington considered pasteurization would be starting wrong. He considered that inspection of the dairies was more important than pasteurization. But the Department permits pasteurization, only it demands that any process through which the milk passes must be clearly marked on the bottle cap. It does not allow milk to be run through a heating apparatus for thirty seconds and then sold as "pasteurized." Such milk bears the words, plainly printed on the stopper, "heated to 160 degrees for 40 seconds," together with the date and time of the completion of the process. Special permits are required for pasteurization and milk heated to 150 degrees for thirty minutes and immediately cooled may be sold as "Perfectly Pasteurized Milk." The labels must also bear the date and hour when pasteurization was completed, delivery to be made to the consumer within forty-eight hours, and milk must not be pasteurized a second time. The following fac-simile illustrates clearly the distinction drawn between "heated" and "perfectly pasteurized" milk.



Bottle caps emphasizing distinction between "heated" and "perfectly pasteurized" milk.

The Department also extends the stamp of its official recognition and regulation to selected milk, inspected milk, guaranteed milk, certified milk, skimmed milk, condensed skimmed milk and condensed milk. Each is defined and each if sold under the name must come up to the standard required.

WASHING BOTTLES; COUNTING BACTERIA.

New York has a regulation not common to many cities by which it declares it to be the duty of everyone to clean or cause to be cleaned immediately upon emptying, all bottles, cans or other receptacles used in handling milk. It is also made an offence to use such bottles, cans, or other receptacles for any purpose other than holding milk. The object is to prevent bottles and cans from getting into such a filthy condition as to almost defy the most thorough sterilizing. It was found that if a bottle or can is merely rinsed and water left standing in it until it is returned to the dairy to be sterilized, it is in a much cleaner, sweeter condition than if the dregs of the milk were left to sour and become putrefactive.

Of course the Department has a laboratory in which bacteriological tests are made, but no special emphasis is laid on this phase of the work. No bacteria limit is fixed, but the term "excessive" is used instead, and when the number found is regarded as "excessive," the dealers are notified that improvements must be made. The Health Department determines what constitutes "excessive." Speaking of the bacteriological tests, in the latest report of the Department it is said: "In many instances pasteurized milk was found to contain bacteria by the million, while some milk shipped from the country in raw state had very low counts, some being as low as 10,000 per cc."

Reports are demanded each week as to the existence or non-existence of typhoid, tuberculosis, diphtheria, scarlet fever, dysentery or any other infectious diseases among any of those handling milk.

Great importance is attached by the Health Department to the necessity for keeping the milk cold at all stages. When milk is cold the bacteria will not proliferate. The ordinance calls for a temperature below 50 degrees F., and in 1907 over 31,000 quarts of milk were destroyed because the temperature exceeded that limit. Last year there were altogether over 11,000 prosecutions in the courts of New York in respect to the milk laws for lack of cooling, adulteration and other offences. Adulterated milk is defined in the code as follows:

(1) Milk containing more than eighty-eight per centum of water or fluids;
(2) Milk containing less than twelve per centum of milk solids;
(3) Milk containing less than three per centum of fats;
(4) Milk drawn from animals within fifteen days before or five days after parturition;
(5) Milk drawn from animals fed on distillery waste, or any substance in a state of fermentation or putrefaction, or on any unwholesome food;
(6) Milk drawn from cows kept in a crowded or unhealthy condition;
(7) Milk from which any part of the cream has been removed;
(8) Milk which has been diluted with water or any other fluid, or to which has been added, or into which has been introduced, any foreign substance whatever;
(9) Milk, the temperature of which is higher than 50 degrees Fahrenheit or which contains an excessive number of bacteria.

DR. PARK ON MILK BACTERIOLOGY.

Your Commission also had the advantage of an interview with Dr. W. H. Park, head of the Bacteriological Department of the New York Board of Health and one of the very foremost bacteriologists. In reference to pasteurization, he intimated that pasteurized milk had disadvantages as against pure, clean milk for infants under one year, but he was strongly of the opinion that pasteurized milk was very much safer than the ordinary raw milk. He brought to our attention a series of experiments carried on by himself and Dr. L. E. Holt, showing the relative effects of pure and impure milk on infants in the tenement houses and institutions of New York. These experiments he summarized in part as follows:

"During cool weather neither the mortality nor the health of the infants observed in the investigation was appreciably affected by the kind of milk or by the number of bacteria which it contained. The different grades of milk varied much less in the amount of bacterial contamination in winter than in summer, the store milk averaging only about 750,000 bacteria per cc.

"During hot weather when the resistance of the children was lowered, the kind of milk taken influenced both the amount of illness and the mortality; those who took condensed milk and cheap store milk did the worst, and those who received breast milk, pure bottled milk, and modified milk did the best. The effect of bacterial contamination was very marked when the milk was taken without previous heating; but, unless the contamination was very excessive, only slight when heating was employed shortly before feeding.

"The number of bacteria which may accumulate before milk becomes noticeably harmful to the average infant in the summer, differs with the nature of the bacteria present, the age of the milk, and the temperature at which it has been kept. When milk is taken raw, the fewer the bacteria present the better are the results. Of the usual varieties, over 1,000,000 bacteria per cc. are certainly deleterious to the average infant. However, many infants take such milk without apparently harmful results. Heat above 170 degrees F. (77 deg. C.) not only destroys most of the bacteria present, but, apparently, some of their poisonous products. No harm from the bacteria previously existing in recently heated milk was noticed in these observations unless they had amounted to many millions, but in such numbers they were decidedly deleterious.

"When milk of average quality was fed sterilized and raw, those infants who received milk previously heated did, on the average, much better in warm weather than those who received it raw. The difference was so quickly manifest and so marked that there could be no mistaking the meaning of the results. The bacterial content of the milk used in the test was somewhat less than in the average milk of the city.

"No special varieties of bacteria were found in unheated milk which seemed to have any special importance in relation to the summer diarrhœas of children. The number of varieties was very great, and the kinds of bacteria differed according to the locality from which the milk came. None of the 139 varieties selected as most distinct among those obtained, injured very young kittens when fed in pure cultures. A few cases of acute indigestion were seen immediately following the use of pasteurized milk more than thirty-six hours old. Samples of such milk were found to contain more than 100,000,000 bacteria per cc., mostly spore bearing varieties. The deleterious effects, though striking, were not serious nor lasting.

"Of the methods of feeding now in vogue, that by milk from central distributing station unquestionably possesses the most advantages, in that it secures some constant oversight of the child, and since it furnishes the food in such a form that it leaves the mother least to do, it gives her the smallest opportunity of going wrong. This method of feeding is one which deserves to be much more extensively employed, and might, in the absence of private philanthropy, wisely be undertaken by municipalities and continued for the four months, May 15th to September 15th.

"The injurious effects of table food to infants under a year old, and of fruits to all infants and young children in cities, in hot weather, should be much more generally appreciated."

HIGH STANDARDS AT BROOKSIDE FARM.

About sixty miles from New York is the city of Newburgh. About two miles from the city of Newburgh is the Brookside Farm, famed for its production of ideal milk. Being one of the best known of these institutions on the continent, it was visited by the members of your Commission. While it is conducted on the same broad, general principles as the Tully Farms, described in some detail in previous pages, even more scrupulous care is exercised in some points. It is not as extensive as the Tully, but instead of being the property of a large company, it is owned and operated by Mr. S. L. Stewart as a commercial enterprise, and is understood to be paying a profit. The milk has been contracted for by a large New York firm for a period of years at 15 cents per quart on the farm, and is being retailed in New York at 20 cents a quart. In summer time it is sometimes shipped to the wealthy at their summer homes at a total cost of 75 cents a quart.

To show the minuteness of the care necessary to render such prices possible, a few points may be mentioned. The walls and ceiling of the milking room are pure white, covered with imported enamel paint presenting a surface like glass. This is washed thoroughly every day. The stanchions are inch and a quarter pipe, and they are also washed thoroughly every day. To get into this room it is necessary to pass through two doors, one of which was closed before the other opened, thus preventing the possibility of dust. The cows are clipped every three weeks and are groomed, washed, scrubbed and dried before milking. Warm water is used and in drying the udder only one towel is used to each cow. When we visited the stable shortly after milking, not the slightest cow odour could be detected even by rubbing the hand over the cow's udder. Mr. Stewart stated that a luncheon had once been served in the stable to a party of medical and scientific men. In the milking, the men wear white suits, sterilized not once a day but twice a day, so that a clean suit is used for each milking. The same care is carried on in handling the milk and sterilizng the bottles. The cows are mostly Jersey or Guernsey.

With such minute sanitary precautions, it might be expected that the bacteria count would be low. In fact the Brookside Farm claims the honour of being one of the few places on the continent where absolutely germless milk has been produced. This feat has been accomplished several times, while the averages for months at a time frequently go below 100 per cc.

SYSTEM OF STATE COMPENSATION.

To ascertain the position of the State authorities on the question, your Commission visited Prof. C. A. Publow, at Cornell University, where the Dairy Branch of the Department of Agriculture is located, and G. L. Flanders, Assistant Commissioner of Agriculture, and Dr. Devine, Chief Veterinarian at the State Department of Agriculture at Albany.

New York State maintains a large veterinary staff and is giving considerable attention to the question of the tuberculin test. The test has not been made compulsory, but it has been encouraged by free testing and the granting of compensation for slaughtered animals. The Commissioner of Agriculture is empowered to direct the quarantining or slaughtering of any animal found to be tubercular on a physical examination, or he may compel a test of a suspected herd. Otherwise, tests are made only when the owner makes the request and agrees to abide by the result, disinfect his premises, brand with the letter "T" and slaughter or quarantine those animals which react. The State pays for the veterinarian and the tuberculin, but the owner of the herd agrees to improve faulty sanitary conditions and follow the instructions of the Commissioner designed to prevent reinfection. Diseased animals kept in quarantine may be used for breeding purposes and their milk after pasteurization may be used for butter or cheese or for sale. The young must be separated at birth, but may be fed on the milk pasteurized. The value of each animal slaughtered must be determined by an appraiser. If it is found on post-mortem examination that the animal was wrongly slaughtered and did not have tuberculosis, then the full value will be paid up to a maximum of $75. If the animal is found to have suffered from localized tuberculosis, eighty per cent. of the total value is paid; if generalized, then only fifty per cent., but nothing will be paid unless the animal has been in the state six months.

During 1908, the State Veterinarian's Department under Dr. J. F. Devine, applied the tuberculin test to 3,520 cattle, and of these 1,200 reacted. A physical examination was made of 2,183 cattle and of these only 29 were condemned. For condemned cattle, the State paid out the sum of $22,268.90 during the twelve months. "We find," said the Chief Veterinarian to the Commission, "that tuberculosis is more prevalent the farther north we go. One of the chief causes is the defective barn with poor light, poor ventilation and consequently poor atmosphere. The old idea was that the only thing necessary was to keep cows warm, and the result is that many are being stabled under very unhealthy conditions."

RUSTY CANS MAY BE CONDEMNED.

In addition to this work in reference to the tuberculin test, the State maintains two inspectors, located chiefly in New York City, to inspect the milk cans. They work under an amendment of 1907, which provides that all cans or receptacles used in the sale or delivery of milk, cream or curd for human consumption may be condemned and stamped as such when found to be in an unfit condition by reason of "being worn out," badly rusted, or with rusted inside surface, or unclean or unsanitary, or in such condition that they cannot be rendered clean and sanitary by washing and will tend to produce bad flavour, unclean or unwholesome conditions favourable to unhealthfulness or disease."

It is further provided that all cans must be rinsed with water as soon as emptied, and it is specifically forbidden to place in the cans any "sweepings," refuse, dirt, litter, garbage, filth or any other animal or vegetable substance liable to decay and produce unsanitary conditions.

The State standard to prevent adulteration is the same as that of New York City, and the State also has regulations providing for the cleanliness and sanitary condition of cans, utensils, stables and other premises. Certified milk is given official protection by the provision which prohibits the sale of milk as certified unless it bears the certification of a duly authorized medical commission of a duly authorized medical society.

DETROIT'S SYSTEM OF INSPECTION.

In point of population at least Detroit offers a comparatively close analogy to Toronto, and its milk administration is therefore of special interest. As explained to your Commission by Mr. John F. McKinley, the Secretary of the Board of Health, inspection of the sources of supply was the recently added feature of the work. The Board of Health issues a license to "provide milk for the Detroit market," a license to "sell milk from a wagon," a license to "sell bottled milk from Depot," and a license to "sell milk as food peddler." Each application is made on a separate form and each applicant must answer a list of questions as to the location of dairy farm, the health and feeding of cows, whether they have been tested with tuberculin or not, as to how cans, pails and bottles are washed, whether ice is provided that the temperature may not rise above 50 degrees F. The applicant must also say whether he agrees to abide by the Milk Ordinance of the city. The license is granted on a certificate from the inspector.

The city ordinance provides that no milk shall be sold as pure milk if it contains less than 12.5 per cent. solids or 3 per cent. butter fat, or which has been kept at a temperature above 50 degrees. A fee of fifty cents is charged for the license. To the ordinance is attached a set of dairy rules providing for the whitewashing of the barns, the cleaning of the cows before milking, as well as other points making for strict cleanliness. Circulars are distributed by the Board on the care of milk in the home and on the hot weather care of infants.

Early in 1908, two inspectors were appointed to visit the sources of supply. They were veterinarians. After the first year's work, one inspector reported having paid 1,500 visits to 260 farms. Because of being unsanitary, 316 gallons of milk were dumped during the year. There were also 23 farms shut out, but of these twelve were later reinstated on account of having made needed improvements. An outbreak of typhoid fever was traced to the district known as the "Conner's Creek Section," and eight cases were found on the dairy farms of this section. The infection was believed to have been caused by the contaminated water of this creek being used for drinking purposes and for washing the cows. The other inspector visited 408 farms and inspected 4412 cows. Altogether, 128 cows were found to be suffering from disease, including 57 from tuberculosis on a physical examination and 14 on the tuberculin test. Shipment was stopped from several farms until the sanitary arrangements were improved. In the meantime, two inspectors were busy on the dairy premises in the city, and of these 1,468 were visited during the year. Forty-eight dealers were forced out of business.

Mr. McKinley stated that the inspection at the source of supply, although recently inaugurated, was producing beneficial results and would be followed up and extended.

CHICAGO AND PASTEURIZATION.

On January 1, 1909, there went into effect in the city of Chicago a new milk ordinance which may be described as both radical and far-reaching. Briefly stated, it provided that for the next five years no milk, cream, cheese or butter shall be sold in the city unless it comes from cows which have been subjected to the tuberculin test and have not reacted, or unless it has been pasteurized according to the standards adopted by the Health Department. The idea behind the five year clause is that in five years all the cattle furnishing milk to Chicago will have been tuberculin tested. The ordinance was adopted by the City Council in the summer of 1908 as a result of the efforts of Dr. W. A. Evans, Health Commissioner, after a very strenuous controversy, for in this matter Chicago was breaking new ground. There are a few other cities in the United States which demand the tuberculin test, but as far as can be learned Chicago is the only city, and certainly the largest city, to enact compulsory pasteurization as an alternative.

IN ITS EXPERIMENTAL STAGES.

Hence, when your Commission, actuated by a desire to place before the people of this Province the results of any new methods of dealing with the difficult problem of the milk supply, visited Chicago in August, they found the tuberculin testing-pasteurization ordinance still in its experimental stages—also still in politics. They found that Dr. Evans, thoroughly convinced of its merits, was making a faithful and conscientious effort to enforce it.

It was learned that special reasons had led to the adoption of the system. Dr. Evans explained that Chicago in 1908 had the second highest infant death rate of any of the large cities of the United States. This fact in itself was startling and demanded attention. Then, the milk to supply the two and a quarter millions of Chicago's population came from four States—Illinois, Indiana, Wisconsin and Michigan. In northwest Indiana, the cattle were mostly tuberculin tested, and in Wisconsin about half were. The result was that Illinois, from whence came the larger part of the city's milk, was becoming the "dumping ground" for the reacting cattle of the adjoining States, and as a consequence it was estimated that thirty per cent. of Illinois cattle were tuberculous. Moreover, the city had no ice ordinance in reference to the transportation of milk, and in the summer months it arrived in the city at a temperature of from 70 to 80 degrees. Then, there was the question of price. Chicago citizens refuse to pay more than seven cents a quart for their milk and some only six. Pasteurization helps to keep the price down.

Up to August, 30,000 of the 120,000 cows supplying Chicago had been tested, furnishing 7,000 eight-gallon cans out of the 30,060 eight-gallon cans used each day. Of the balance, 18,000 cans are pasteurized and 5,000 cans are sold in defiance of the city law. The milk comes from 12,000 farms within a radius of sixty miles. In the working out of the tuberculin test difficulties had been met with—the dishonest veterinarian, the farmer who would hustle a reacting cow into a neighboring herd and demand that it be retested so that it would not react—and it was found more easy to enforce and control pasteurization than tuberculin testing.

INFANT MORTALITY DECREASES; DIARRHOEAL DISEASES INCREASE.

"Publicity is one of the very best agents you can have," remarked Dr. Evans, and one of the very excellent publicity adjuncts to the Department of Health is a four, six or eight page "Bulletin," issued each Saturday by the Chicago School of Sanitary Instruction. It is distributed free, and through it the Department disseminates advice and information on health matters. Its motto is the words of Earl Derby: "Sanitary instruction is more important than sanitary legislation." It gives each week an analyzed statement of the mortality of all ages and all causes for the previous seven days, and it showed that during the week previous to the visit of your Commission the total deaths under one year of age had been 194, as compared to 181 during the same week of the previous year, an increase of 13. The deaths from diarrhœal diseases numbered 167 under two years, being 23 higher than the same week last year. Similarly during the week following the deaths under one year increased from 189 to 208 and those from diarrhœal diseases from 196 to 209.

It would be unfair, however, to cite the two hottest weeks of August as a criterion. A better criterion is found in the complete figures for the nine months ending September 30th, and these show a gratifying decrease in the deaths under one year to the extent of 466. But, unfortunately for any theories, consideration must be given to the somewhat curious fact that in spite of this splendid decrease in infant mortality, the number of deaths caused by diarrhœal diseases, which are usually attributed to feeding, actually increased by 44 in infants under two years of age.

In even surmising the influence of the milk supply on infantile mortality, it must also be noted that during the summer months the Medical Milk Commission maintains stations at which clean, pure, wholesome milk may be obtained at a price below cost. As for tuberculosis, this disease is so slow in its progress that it will be impossible to make any comparisons for another year at least.

STANDARDS OF PASTEURIZATION.

In view of the varied opinions even among experts as to what constitutes proper pasteurization, attention was given to the Chicago view on this point. "What is the test of the effectiveness of your pasteurization," was the question asked Dr. Evans. "Results are the test," was the reply. By this Dr. Evans referred to the ordinance which provides that milk must be "raised to a temperature sufficient to kill 99 per cent. of the bacteria and all of the pathogenic germs (disease carrying bacteria) contained in the raw product." This is somewhat general inasmuch as the Department does not specify precisely what constitutes the "required amount" to kill 99 per cent. of all bacteria and all the disease producing germs. An effort is made to enforce this provision by frequent inspection of the pasteurizing machines, which must be equipped with a recording apparatus to show the temperature at which milk is exposed and the length of time. Then, bacteriological examinations of the milk are made to ascertain how many germs remain after pasteurization, the ordinance providing that there shall not be more than 100,000 per cc. in summer and 50,000 in winter. The fact was, however, that, with a few exceptions the pasteurizing machines in use in Chicago dairies were those known as "Continuous"—a high temperature for a short time. The bacteriological count showed, not that the idea of the ordinance was being realized, but that the count of pasteurized was very, very much less than unpasteurized. In the hot weather of an August week for instance, samples of pasteurized milk went up to 20,000,000 per cc., while raw milk went over that number. The average, however, for the samples of pasteurized was 1,518,837, and that for the raw 6,214,500. Later, in the cooler weather of a September week, the average for pasteurized milk was 849,957, and for unpasteurized 4,897,257. These samples were taken on the street and the figures are given herein for what they are worth. The nature of the bacteria of course is not stated, but experts agree that the harmless, if not helpful, lactic acid germs succumb first to heat.

PASTEURIZATION ORDINANCE.

The exact text of the pasteurization ordinance is of interest and is as follows:

Rule 6. (Pasteurizing Temperatures.) All pasteurized milk, cream, skimmed milk, milk products, and milk and cream used in the production of milk products shall be pasteurized in accordance with the following regulations:

(A) (Continuous Pasteurization.) In all continuous pasteurization the milk and cream shall be heated to a temperature which shall be determined and fixed by the Department of Health for each machine at a point corresponding to the temperature required to kill 99 per cent. of the bacteria and all pathogenic bacteria contained in the raw product. For this determination ordinary raw milk containing in the neighbourhood of 3,000,000 bacteria shall be used and the pasteurized product shall be collected as it flows from the cooling apparatus.

All continuous pasteurizers shall be equipped with a feeding pipe which is so constructed that the pasteurizer cannot be fed in excess of its normal working capacity; that is, in excess of the working capacity of the machine at which 99 per cent. of the bacteria are killed when the required amount of heat is applied.

All continuous pasteurizers operated outside of the city limits, for the production of pasteurized milk and milk products to be sold in the city of Chicago, shall be equipped with an apparatus regulating automatically the supply of steam and heat, so as to correspond with and produce the required temperature of the outflow of the pasteurized product. These automatic thermo-regulators shall be accurate and must be approved by the Commissioner of Health before being installed.

A recording apparatus shall be installed upon all continuous pasteurizers operated within the city limits so as to record during operation the temperatures of the pasteurized product as it flows from the heater. The thermometer of this recording apparatus must be accurate and kept emerged in the milk in such a way that it is not exposed to escaping steam or other heat, except the heated milk.

The records made by this recording thermometer must be accurate and made in a chamber which is kept under lock and key in the control of the Department of Health.

The automatic thermo-regulating and recording apparatus may be combined into one instrument and it is recommended that all pasteurizers be equipped with both appliances or combination apparatus.

(B) (Held Pasteurization.) Whenever milk is held during pasteurization in such a manner that the process of pasteurizing is not a continuous one, namely, a continuous flow of milk through the heating or heat-retaining chamber, the process shall be designated as "Held Pasteurization." Such methods of pasteurization and pasteurization appliances or systems installed and used shall be examined and approved by the Commissioner of Health, or his duly appointed representatives, when all of the following requirements are fulfilled:

1. When the pasteurized product shows that over 99 per cent. of the bacteria and all pathogenic bacteria contained in the raw product have been destroyed.

2. When the mechanism of the pasteurizer or pasteurizing system is such that the three important elements, namely: the temperature, time of exposure, and the quantity of milk exposed at one time, can be readily kept under control and observation by the Department of Health.

3. When the following conditions are complied with:

A uniform heating of 140 degrees F., maintained for 20 minutes; 150 degrees F., maintained for 15 minutes; 155 degrees F. maintained for 5 minutes; 160 degrees F., maintained for 1½ minutes; 165 degrees F., maintained for 1 minute.

The time shall be calculated from the period that the entire quantity reaches the required temperature.

Rule 7. (Cooling Temperatures.) The pasteurized product shall be cooled at once to a temperature of 45 degrees F. or less. This cooling shall be so conducted that the pasteurized product is not exposed to the air or other contamination. This cooling apparatus shall be so constructed that it can be readily cleansed and sterilized.

PROF. HEINEMANN'S VIEWS.

One of the eminent authorities of Chicago on the question is Prof. P. G. Heinemann, Ph.D., of the Bacteriological Laboratory of the Chicago University, and your Commission had the great advantage of an interview with him. He believes the advantages of pasteurization, when properly performed, outweigh the disadvantages. He said: "In my opinion, continuous pasteurization at 165 degrees is of little use, as the disease germs are not killed and the lactic acid producing germs, which are useful in keeping down the putrefactive bacteria, are killed. As the lactic acid bacteria are destroyed, in that degree the development of the putrefactive bacteria increases. For infants I would prefer to use clean milk not pasteurized, as our knowledge up to the present does not permit us to express a definite opinion in regard to the exact changes through pasteurization. Figures also prove that some cases of scurvy and rickets were developed through pasteurized milk."

Prof. Heinemann further referred to an address recently delivered on the question of sanitary milk, in which he spoke of treating milk by heat, and expressed this view:

"From a bacteriological point of view, however, the disadvantages of treating milk by heat are more pronounced after pasteurization than they are after sterilization. The vegetative forms of bacteria escape destruction to a larger degree and spores are probably not influenced at all, so that putrefaction sets in very readily. I should, therefore, not consider pasteurized milk fit for consumption after a lapse of twenty-four hours. The products of these spores after germination, as established by Flugge, are more or less poisonous to animals.

I do not wish to depreciate the value of pasteurization if properly executed. The one great advantage remains, and that is the security from pathogenic bacteria. But in how many cases do we obtain pasteurized milk which is properly treated? I have seen a pasteurizer at work in a large dairy, the milk of which escaped at a temperature of slightly above 120 degrees F., and when asked for an explanation the proprietor informed me that the proper temperature of 165 degrees would be reached in a few minutes. Admitting, then, that the bulk of the milk has been pasteurized still a small part of it has not been pasteurized, and this contains nearly the original number of bacteria, which, since milk is an excellent culture medium for bacteria, will multiply at an extraordinary rate. Not only this, but, as stated before, the lactic acid bacteria, being very sensitive to heat, have undoubtedly been largely destroyed, giving the putrefactive bacteria full sway. Such milk may retain its sweet taste and clean, good appearance for a number of days, but may harbour deadly poisons, which are especially harmful to the delicate digestive tract of the infant. These disadvantages of pasteurized milk were readily recognized among scientists and substitutes were devised, among which I may only mention the co-called formalinized milk of Behring, the peroxide milk of Much and Romer, and others, the application of which, however, has been by no means satisfactory."

A QUESTION IN POLITICS.

It has already been stated that the question was still in the experimental and still in politics. Something of the practical side of the experiment has been set forth, and as to the political side it may be said that it is in both municipal and state politics. More strictly speaking, the pasteurization is in municipal politics, and the tuberculin testing is in state politics. A milk dealers' association, said to be composed chiefly of small dealers, is keeping up an agitation for the repeal of the ordinance and some of the aldermen are working in that direction.

In the Illinois Legislature, Hon. Edward D. Shurtleff, who is Speaker, and who represents what is known locally as a "cow country," is regarded as the leader in the question. To your Commission Mr. Shurtleff said: "The Legislature has appointed a Committee to enquire into the question of the tuberculin test from every standpoint. The Committee met and elected me chairman, but as we do not have to report until the fall of 1910, we decided that beyond collecting the laws of the various states on the question, we would not do much until after a trial which comes on in Montclair, New Jersey, in the spring. Montclair has a mandatory tuberculin ordinance and I understand the Borden Company, one of the largest dairy companies in the United States, is contesting their right to pass such a statute. I am informed that the question is to be taken up very thoroughly by both sides as a test case, and experts are to be summoned from all parts to testify both as to the legality and to the utility of the tuberculin test. It is anticipated that a mass of authoritative evidence will be submitted and we are watching the outcome. Personally, I do not think the day will ever come when the tuberculin test will be supreme, but we may come to a law of the physical test. The difficulty with the tuberculin test is that some of the worst cases do not react, while a case of mere infection would react although there was no possible chance of injury to the milk supply. It is also said there is no tubercle bacilli in the milk unless there is tuberculosis of the udder or generalized tuberculosis."

STATE BOARD OF HEALTH OPPOSES.

Opposition to both pasteurization and tuberculin testing comes also from the State Board of Health.

In December, 1908, just before the pasteurization ordinance went into effect in Chicago, what was apparently the official view of the Illinois State Board of Health was voiced in a lengthy article by their Secretary and Executive Officer, Dr. James A. Egan, published in the Monthly Bulletin issued by the Board. He first attacked "commercial pasteurization" as ineffective and a device of dirty dairymen to keep milk from souring. He secondly attacked any kind of pasteurization as being injurious to the nutritive qualities of the milk, making it specially injurious to infants. In support of both he quoted eminent authorities, including Von Behring, the eminent exponent of the theory of the transmissibility of bovine tuberculosis to man. In the third place, he disputed the efficacy of pasteurization to kill the tubercle bacilli, and in this connection he adds the following:

"We believe that the greater portion, if not all, of the milk sold in Paris undergoes pasteurization; but the death rate from tuberculosis in Paris—in children and adults—is greatly in excess of that in Chicago, where infants are generally fed raw milk. The ratio of deaths from all forms of tuberculosis to deaths from all causes is 1 to 4 in Paris, and 1 to 8 in Chicago. In other words, Paris, with a complete system of pasteurization has double the mortality from tuberculosis of Chicago, where pasteurization is exceptional; and yet pasteurization is advocated as a prime means of preventing the spread of tuberculosis.

The following table furnishes information of decided interest and value in this connection:

Death Rates from Tuberculosis in Paris and Chicago.

Rate per 100,000 of population.

Year.	All forms.		Pulmonary.		Abdominal.	
	Paris.	Chicago.	Paris.	Chicago.	Paris.	Chicago.
1901	466.8	168.1	401.6	147.5	6.7	5.1
1902	459 6	165.7	393.8	147.0	7.8	5.6
1903	457.0	182.2	387.2	158.1	7.6	6.3
1904	451.4	184.8	385.7	163.9	8.7	6.2
1905	448.1	185.7	381,8	162.8	8.3	6.4
1906	448.6	187.1	378,2	158.4	8.7	6.2

Children Under Five Years of Age.

Rate per 100,000 population of same age.

Year.	All forms.		Pulmonary.		Abdominal.		Meningeal.	
	Paris.	Chicago.	Paris,	Chicago.	Paris.	Chicago.	Paris.	Chicago.
1901	592.9	112.1	174.6	49.6	15.2	9.7	360.3	43.5
1902	592.3	77.3	164.6	35.9	18.2	8.4	380.2	27.9
1903	597·6	113.5	183 4	43.8	15.2	8.2	362.6	50.1
1904	553.6	104.2	152.3	42.8	16.4	13.3	351.5	39.0
1905	519.6	116.7	134.2	39.5	14.6	10.7	341.5	56.7
1906	568.9	117.6	154.1	44.0	17.6	10.4	366.7	46.8

Dr. Egan maintains that "through inspections of dairies and farms and sanitary supervision of dairy herds, any city can procure a good milk supply," and he concludes by characterizing pasteurization as an "unreliable remedy for an uncertain danger."

STORES MUST SELL IN BOTTLES ONLY.

Although thus far consideration has been given only to pasteurization and tuberculin testing, it must not be thought these are the only features of Chicago milk laws. In fact, Chicago ordinances include all those features which modern thought regards as essential in safeguarding the milk supply of a great city. And they have one regulation not found in many other cities, and it provides that no milk or cream may be sold in stores where other merchandise is sold unless it is "kept and sold in tightly closed and capped bottles or receptacles of a similar nature such as shall be approved by the Commissioner of Health." This was passed on June 22, 1908, and the object is to prevent the contamination to which bulk milk is exposed. It is described by the Health Department after a year's experience as "one of the very best ordinances we have."

The Department maintains ten inspectors in the city and eight among the farms in the country. During 1908, dairy farms to the number of 9,707 were inspected and milk from 390 was excluded from Chicago on account of unsanitary conditions and from 50 on account of contagious diseases on the premises. Of 860 cows tested in the city, 7.2 per cent. reacted.

The sanitary standard of milk must come up to the following conditions:

Must not have more than 1,000,000 per cc. on arrival in city from May to September, or 500,000 the balance of the year;

Must not have an "excessive number" when delivered to consumer;

Must not have any tubercle, typhoid, diphtheria or other pathogenic germs;

No milk containing over 3,000,000 per cc. shall be sold and any dealer whose milk exceeds this on three successive counts shall be prohibited selling until the method of production and handling shall have been regulated by the Department;

Milk is not considered sanitary if a quart, well mixed, strained through a piece of white linen cloth four inches square, shows any perceptible sediment.

CHAPTER V.

Being a Statement of the Regulations Governing the Milk Supply of Copenhagen, said to have the best Milk Supply in the World, and a Review of the Ideal Company Regulations of one of the Largest Dairy Companies in the World.

In view of the fact that Mr. C. C. James, Deputy Minister of Agriculture, was making a visit to Great Britain and Europe during the past summer in the interests of agriculture, he was asked by your Commission to make enquiries into the milk question. In response to our request, he looked into the matter in Copenhagen and London and submits the following chapter which we beg to present for its educational value:

"Denmark has become during the past twenty-five years the most noted dairy country of the world. Special attention has been given to the breeding and feeding of dairy cattle; to the care and handling of the milk. and the production and marketing of dairy products, especially butter. Special attention has been paid to the prevention and cure of tuberculosis. Prof. Bang. the most noted authority on the treatment of tuberculous cattle, is a Dane and his methods are thoroughly carried out by the farmers of Denmark. It might be expected, therefore, that Denmark would offer a good example of the production. care and handling of milk for human consumption. The city of Copenhagen has, I believe. the best general supply of milk of any city of the world. and the retail price of milk is 5 to 5 1-2 cents per quart. Its population is 375,000. The total population of Denmark is 2,450,000, about 300,000 less than Ontario. Its area is 10.000,000 acres. a little more than the total area of field crops in Ontario. This little country. with a population somewhat less than Ontario, exports annually approximately $90.000.000 worth of butter, bacon and eggs. of which $80,000,000 worth goes to Great Britain.

First of all I give you the city sanitary regulations under which milk may be delivered to and sold in the city of Copenhagen. This is followed by a brief and simple statement of the operations of the Trifolium Dairy Company and the regulations under which this company carries on its work.

I might state that the documents used in this report were in Danish and I had them translated for the use of the Ontario Milk Commission by Mr. J. F. Hansen, a well informed Danish gentleman who resided for a time in Canada.

SANITARY REGULATIONS.

City of Copenhagen.

Rules Governing the Sale of Milk, etc.

Section 1.

All vendors of milk and persons engaged in the transport of milk destined for sale in Copenhagen are subject to the control of the City's Health Committee and must strictly observe the rules laid down in the present Order.

Section 2.

Any firm or person desirous of carrying on business as vendor of milk in the city of Copenhagen must prior to starting operations give notice of such intention to the Health Committee (City Police). Such notice must also be given in the event of removal of business or establishment of branch depots.

Section 3.

Owners of milk cows in this city must from the date of this Order give notice to the authority above mentioned of any outbreak of contagious disease among their cattle. They shall also follow closely any regulations which the said Health Committee may issue in respect of cow keeping, etc., in addition to those laid down in the present Order.

Interior of Copenhagen Dairy.

Section 4.

Dealers may sell milk only under the following descriptions, viz.:

(1) Fresh Milk, (2) Half Skimmed Milk, (3) "Skimmed Milk," and "Children's Milk," (as hereinafter stated).

As "fresh milk" only such milk may be sold which has not in any manner been deprived of its natural properties, and it must contain at least 2.75 per cent. of fat. Milk containing any addition of half skimmed milk or skimmed milk is strictly barred from being sold as "fresh milk" even if it contains a percentage of 2.75 fat or more.

It is permissible to sell milk which has been partially depleted of its fat substance as "skimmed milk."

The term "half skimmed milk" may be used if the percentage of fat which it contains amounts to at least .75 per cent.

Section 5.

In addition to above, it is permissible to sell as "children's milk" such fresh milk which in addition to satisfying the rules of Section 4, has been cooled down to 53.6 degrees F. or lower and the fat percentage of which amounts to at least 3.

Further, "children's milk" must be drawn from cows which have:

(*a*) Not longer than 12 months since withstood the tuberculin test successfully and

(*b*) Been certified within any 15 days by the Veterinary Surgeon of the Health Committee as being equal to such requirements in respect of feeding and general treatment, as the said Committee may from time to time deem necessary.

Dealers in "children's milk" must henceforth satisfy the Health Committee as to the origin of such milk, and if called upon, produce a certificate of the Committee's Veterinary Surgeon that the conditions mentioned under (*a*) and (*b*) have been complied with.

In the event of the said Committee not finding the Veterinary Surgeon's certificate satisfactory, the Committee has power to instruct the dealer concerned to carry out such improvements as they may find necessary to secure the observance of above regulations.

Printed certificate forms are obtainable at the offices of the Health Committee.

Section 6.

Fresh, half skimmed, and skimmed milk, also pasteurized milk, must, in addition to satisfying all regulations mentioned in Section 4, be heated to 185 degrees F. and immediately afterwards cooled down to 46.4 degrees F. or lower. Sterilized milk cannot be sold unless the sterilizing process has been approved of by the Health Committee.

Pasteurized and sterilized milk may be sold only in air-tight vessels of clear, slightly colored glass. The date on which the sterilizing or pasteurizing process took place must be clearly stated on the label, together with the name and address of the vendor or sterilizing institute.

All bottles prior to being filled must be cleansed in strong soda or lime water solution or must be sterilized.

Section 7.

It is permissible to sell "mixed milk" for children in bottles. In respect of this milk, all regulations stated in Section 5 apply. This milk may be mixed with sugar and water, but full details as to the composition must be clearly printed on the label.

The mixture must also be pasteurized.

Section 8.

Buttermilk, Curdled Milk, etc., must be described as such when sold.

The description must also always be given of milk of other animals than cows if sold by any vendor.

Section 9.

All milk must be strained through a close sieve immediately after milking and it must be treated with every care and cleanliness. The responsibility as to observation of this rule rests not only upon the producer but also on the importer and seller.

All vessels and appliances which come into contact with the milk must be kept in a clean condition.

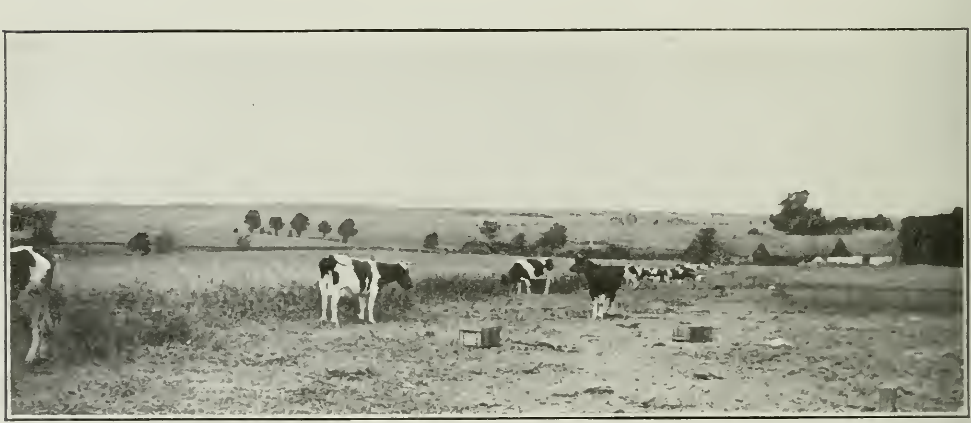
Section 10.

The sale is prohibited of milk

(*a*) Which in respect of colour, smell or appearance differs from the ordinary quality of good milk;

(*b*) From cows which have recently calved and whose milk is consequently not yet fit for use;

(*c*) From cows which have been proved to be infected with Tuberculosis, Hypochondriasis, Hydropsy, Garget, Mouth and Foot Disease, Pox, Diarrhoea or any and all fevers or diseases of any kind involving internal or external medical treatment which in consequence may have unfavourable effects on or cause damage to the quality of the milk; or



The thrift of the Danish farmer is illustrated in tethering cows at pasture.

Milk mixed with water or with any substance used for preserving, such as Aseptin, Salicylic Acid or similar chemicals which the Health Committee may consider as calculated to have an injurious influence, or any other foreign substance, except those mentioned in Section 7; or

Milk containing any kind of dirt or showing, after standing for two hours, a sediment, will be regarded as impure.

To secure the proper observance of these regulations, the Health Committee may at any time call upon dealers to disclose the origin of any milk sold by them and to demand production of a veterinary surgeon's certificate twice monthly, giving particulars as to condition of the herd, treatment and feeding of same, and such certificate must always be drawn up in accordance with the ordinary rules of the Sanitary Committee.

Section 11.

All vessels containing any of the qualities of milk named in Section 4 hereof and from which milk is measured out and sold to customers, should bear inscriptions with fullest description of the kind of milk sold in lettering of at least one inch in size, and all such vessels should be as far as possible exhibited in such a manner that they are visible to the public.

Bottled milk should always be sold in clear, slightly coloured glasses. Descriptions of the contents and name and address of dealer should be visibly printed on a label, which must be safely fixed to the bottle, or the foregoing particulars may be impressed on the stopper.

Other descriptions of milk than mentioned in this Order are prohibited to be used on vessels, bottle labels or advertising posters, unless special permission has been granted by the Health Committee.

In transporting milk to this city and for storing it, it is not permissible to use vessels or measures made of wood, unpolished copper, brass or zinc or vessels covered by rust or vessels covered by lead or damaged and having cracked enamel or being in any other condition likely to cause the milk in any way to be rendered impure.

All milk transport cans should have well closing lids which must be fastened to the can by a chain. The measures used should have a handle to avoid the milk being touched by the hands of any person handling it. Milk transport cans must under no circumstances be used for any other purpose. For tightening the lids of milk cans paper must not be used, neither gutta percha or any other impure substance. Gauze or leather if used for this purpose may only be used once.

In the event of milk being transported on carts, which also carry yeast or kitchen offal, then such substance must only be carried in locked vessels.

It is not admissible to transport milk or transport cans intended for milk together with manure or in carts which have previously been used for conveying manure prior to such carts being properly cleaned.

Section 12.

Premises in this city used for the sale or storage of milk should daily be thoroughly aired and cleaned.

If the floor of any such premises consists of boards, not covered by linoleum or other covering preventing the percolation of moisture, then such floors must be varnished and the rifts filled with putty. The floor should be scrubbed and cleaned daily and once per week all floors, walls, doors and panels should be thoroughly cleaned and windows polished.

Where walls and ceilings are not made of marble or other kind of stone or of glass or are oil painted, they should be painted white or whitewashed at least four times per year. With reference to walls and ceilings which can be washed, this is required to be done at least four times per year.

No dry dusting must take place in these premises. All premises in which milk is either stored or sold must contain a number of water spittoons.

Along with milk it is permissible to deal only in the following goods, viz.:

Bread, cakes, flour, butter, margarine, lard, eggs, soda water, beer in bottles, sweets in glass bottles, chocolate and fruit juice in bottles.

In respect of retail business which on May 1st, 1904, dealt in milk and cream and also in goods other than those enumerated above, the Health Committee has power for the lifetime of the owner and if necessary his widow to allow such business to be continued, but only so long as the business is carried on in the same place or in its immediate neighbourhood, but the Committee may always exclude any goods to be sold on these premises which in their opinion should not be stored jointly with milk.

A laundry or similar business may not be carried on with a milk business.

The premises where a milk business is carried on may not be used as living or sleeping quarters or be in direct connection with premises used for living or sleeping, except where such premises are connected with the sale rooms by a firmly locking door which must not be left open.

Cellars not draining into the main sewer must not be used.

The regulations contained in this paragraph do not apply to such premises where milk is exclusively sold in sealed and air-tight bottles and where no bottling and mixing of milk takes place.

Section 13.

Should any person employed either in connection with milking, sale or mixing of milk or any persons who live on premises adjoining the sale rooms for milk, show any symptoms of disease which may lead to some contagious fever such as typhoid, scarlet fever, diphtheria or any other throat disease, spinal inflammation, diarrhoea or any other contagious disease, and lung tuberculosis, a medical man must immediately be called in, and if the latter so determines, notice must be given to the Health Committee, which can insist upon the patient being moved from the premises.

No person suffering from a skin or similar contagious disease or from sores or wounds on head or face or persons being in any manner connected with individuals so afflicted, may be employed in milking or handling milk in any way. Cleanliness with reference to dress and person must be observed by everybody employed in the milk business.

Section 14.

Not only the individuals concerned will be held responsible for the observance of any personal rules herein contained but also principles, both milk producers and sellers. Except in cases where milk is sold in sealed bottles, the seller is personally responsible for the quality of the milk sold on his premises.

Section 15.

A copy of these Rules must be exhibited in a prominent place in each milk sale room. Department 3 of the City Police will furnish printed copies free of charge.

Section 16.

The Rules stated in Section 12 (as to interior of premises) will come into force 12 months after publication of this Rule, all other regulations six months from that date.

THE TRIFOLIUM DAIRY COMPANY.

The Trifolium Dairy Company (Trifoliums Maelkeforsynung) or The Danish Estates Butter Factory as the name reads upon its delivery waggons, was organized in 1898 for the purpose of manufacturing butter and cheese for export to England.

In 1901, a dairy was opened in Copenhagen for supplying milk to the city. The head office is in Copenhagen and Mr. J. G. Smith is the General Manager. In addition to the Copenhagen dairy, there are four branches. Three thousand cows supply the milk to the Copenhagen dairy and ten thousand cows supply milk to the four branches. Forty carts or waggons start out every morning between 5 and 5.30 to deliver milk. In addition to the driver, there are six boys to each waggon for distributing the milk, all of which is bottled. 25,000 bottles are delivered, each holding one litre of milk (one litre equals .88 quart). The milk is brought in by rail, most of it coming 60 miles. It is delivered right at the dairy every night between 10 and 12 o'clock. The evening and morning milk are kept in separate cans labelled. It is cooled at the farms to about 46.4 degrees F., and when received it stands at about 60.8 degrees F. First of all at the dairy it is cleaned by passing through a separator run at 700 revolutions per minute (4,000 to 5,000 revolutions would separate the cream). The cleaning is at the rate of 2,500 litres per hour for each machine. Then it is cooled to 35.6 to 37.4 degrees F., bottled and sealed and is ready for delivery. There are five bottling machines, each of which fills 1,000 bottles per hour. When the drivers return, any milk left unsold is separated and the cream made into butter. The skim milk is pasteurized. The milk sold is not pasteurized. Mr. Smith does not believe pasteurizing is necessary in their methods of producing and handling the milk. The bottles returned are cleaned by machinery. First they are washed in cold water, then in water at 149 degrees F., and afterwards with water and soda. Five machines each clean 1,000 bottles per hour, so that it takes five hours to clean up the whole supply of 25,000 bottles.

While the general executive business of the company is in the hands of the manager, the general supervision of the work and the inspection of all the operations are in the hands of a Control Committee consisting of two persons. At the time of our visit the members of this Committee were Mr. C. O. Jensen, Professor of the Royal College of Veterinary Surgeons of Copenhagen, and Dr. Schierveck, Lecturer at the University (a Doctor of Medicine). The herds are under systematic inspection by the Company's Veterinary. The following regulations set forth in general terms the responsibilities and duties of the Committee, the Veterinary, and the main regulations under which work is carried on.

A.

1. Milk sellers must covenant to allow their herds to be inspected as often as the Company considers it necessary, by their veterinary surgeon, and to give such surgeon any information respecting the herd, and methods of feeding and milking. Milk sellers undertake to carry out any orders given by the veterinary surgeon.

2. Any cattle described by the veterinary surgeon as being infected with tuberculosis must immediately be separated from the remainder and slaughtered, or disposed of, as quickly as possible. Cattle that for other reasons are set aside by the veterinary must, according to his instructions, either be removed entirely from the stable or put up at the other end of same. The milk must not be delivered, and they must not be put back into the herd until leave has been granted by the veterinary.

3. In the event of cattle becoming diseased between two visits of the veterinary, milk sellers covenant immediately to separate animals, especially if tuberculosis, inflammation of dugs, milk fever or acute diarrhoea occur, and in such case retain the milk from such cows and to inform the veterinary. Any milk so retained will in such case be paid for until the veterinary's opinion has been given. In the event

of many cases of disease which might be due to a contagious outbreak or to poisoning, occurring in the herd, the veterinary or the manager of the Company must be informed by telephone or telegram.

4. The milk of newly acquired cows must not be delivered until they have been inspected and passed by the veterinary.

5. Suppliers of "infants' milk" must covenant not to put any cows into the herd until these have been tested by the tuberculin test and have been declared as sound by the veterinary. All cows in the herd may, in the event of it becoming desirable, be marked. Suppliers covenant to allow the herd to be vaccinated with tuberculin at least once per annum. The lists, giving the result thereof, must be forwarded to the Company's Committee by the veterinary. In the event of a cow or more reacting on tuberculin test, the seller agrees to dispose of such cow or cows immediately and to see that such cow or cows do not mix with the other part of the herd.

B.

Health of the Staff.

6. Suppliers undertake to maintain the following rules respecting their staff:

(*a*) No persons suffering from tuberculosis or syphilis may be on the staff, whether employed in the stables, milking or otherwise.

(*b*) Persons suffering from growths or sores on the face or on the hands or arms or from skin diseases or acute diarrhoea must under no circumstances come into contact with the milk.

(*c*) Persons in whose household such diseases as typhoid, gastric fever, diphtheria, scarlet fever or any other infectious disease has broken out must under no circumstances come into contact with the milk, until the local doctor has declared them free of infection. In the event of them having come into contact with the milk such milk must be kept back and this milk will be paid for by the Company, provided that the seller of the milk has not been guilty of carelessness.

(*d*) Suppliers agree to watch carefully over the health of their employees and that in the event of any infectious disease amongst them they shall be immediately isolated.

(*e*) Twice a year, shortly after the 1st of May and 1st of November, a certificate must be sent from the farmer's medical man to the Company as to the condition of health of his staff, with particulars of any cases of disease which have occurred in the past half year and which have been attended by the doctor.

7. In the event of an outbreak of typhoid on any farm or of gastric fever, diphtheria, scarlet fever or any other serious contagious disease amongst persons living there or amongst people working on such farm the latter agrees immediately to telegraph or telephone to the Company's Manager. In such case the milk from the herd must not be delivered to the dairy until the Committee agrees to it. For any milk so kept back the Company agrees to pay the full price.

C.

Feeding of Cows and Treatment.

8. All food supplies must be quite fresh. Mouldy or otherwise damaged fodder must not be kept in the stable or in the immediate neighbourhood. The Company's veterinary surgeon has the right to inspect the stock of food.

9. In the summer the cows must, as far as possible, graze in the fields. If it is necessary to feed them in the stables, the Company must be advised thereof and the milk seller agrees in such case to keep the cows and the stables in a very clean condition. The Company reserves the right, if necessary, to forbid cows being kept in the stables if the milk of such cows is sold as "infants' milk."

10. The composition of fodder must be communicated to the veterinary surgeon.

The following rules must be observed:

(*a*) Of the turnip class, carrots and beets must be used for cows whose milk is intended for "infants' milk" and of this not more than, at the outside, 40 lbs. per cow per day.

(*b*) For cows from whom "infants' milk" is not drawn, 60 lbs. of such fodder may be supplied per day, but only so long as cows do not suffer in any way therefrom.

(*c*) Turnip leaves, beet leaves, or cabbage leaves must not be fed.

(*d*) Cows intended for "infants' milk" must not be given molasses, cotton seed cakes, green or dry buckwheat or mustard. Other cows may be given this class of fodder only in small quantities. Molasses must be discontinued in the event of it bringing about any trouble of any kind. Cotton seed cake must not contain any considerable quantity of mustard and these cakes must be submitted to the veterinary before being used. In case of serious mistakes being discovered on the part of milk suppliers, with regard to the composition of food, they must agree to rectify the same according to the Company's suggestions.

11. Milk suppliers must, as far as possible, avoid frequent alterations in their composition of fodder.

12. Before the cows are returned to the stables in the fall they must be shorn at the dugs, tail and shanks.

13. It is forbidden to supply milk until after 10 days after calving or to supply milk from cows that yield less than 6 lbs. per day.

D.

Handling the Milk.

14. The milking must be done in the cleanest possible manner and with care. The following rules must be observed:

(*a*) The persons who milk must wear a suitable dress and apron. There must be a supply of plenty of clean water so that they can wash their hands frequently.

(*b*) The stables must be sufficiently lighted during milking, especially behind the cows, so that the persons who do the work can see to carry it out in an orderly and clean manner.

(*c*) Immediately after milking the milk must be strained through a clean metal sieve which must frequently be cleaned.

(*d*) The milk must, at all times of the year and immediately after milking and until being sent to the Company, be cooled by the cooling apparatus to about 50 F.

(*e*) The cleaning out of stables must be undertaken in the morning after the milking and in the afternoon it must be finished before the milking begins.

(*f*) Cows which yield less than 6 lbs. milk per day and cows which have been rejected by the veterinary surgeon must be kept apart at one end of the stable in such a way that the milk from such cows cannot possibly be mixed with that from those to be delivered.

15. A sufficient supply of ice must be kept. A cooling apparatus must be used, and must be stationed in a light, clean place that has not been used for any other purpose and which, prior to the cooling taking place, must be cleansed with clean water.

16. The milk suppliers agree to follow the instructions of the Company and its veterinary surgeon as regards any points of cleanliness or handling of milk.

E.

Delivery.

17. In the summer the transport cart must be supplied with a cover to protect the cans from the sun. Fodder in racks, or manure, may not be transported on the same conveyance as the milk, or cleaned cans returning from the dairy.

18. The Company supplies the milk cans. The milk cans used for "infants milk" must not be used for any other purpose. Under no circumstances must these cans be used for anything but for the delivery of milk.

All cans are sent back by the Company in a clean condition.

19. The milk suppliers must clean the cans again in clean cold water, and any dirt which may have accumulated during the transport must be removed.

20. Milk suppliers agree to see that good water is supplied to the cows for drinking and for cleaning of any articles which come into contact with the milk. Milk suppliers also agree to comply with any suggestions as to improving the water supply which may be pointed out to them by the Central Committee.

F.

Sundry Rules.

21. Milk suppliers agree on their word of honour to answer all questions from the Company with reference to the supply of milk.

22. The herds and the premises where the milk is being handled and kept are at all times open to inspection on the part of the members of the Company's Committee of Control.

FILTRATION PLAN AND INFANT FEEDING.

In addition to The Trifolium Dairy, there are other companies engaged in the business of supplying milk to the citizens of Copenhagen, which, of course, are working under the city regulations set forth on a previous page. Among these may be particularly mentioned the Copenhagen Milk Supply Company, an interesting account of whose operations was set forth in *The Scottish Farmer,* of August 21, 1909, by Mr. John Porter. As this was written at the time of my visit to The Trifolium Dairy and was based on an inspection made about the same time, a few references will be appropriate. Mr. Porter states that the Danish Milk Supply Company also follows exactly similar lines. The writer states that "In no other town or city that the writer has visited has the quality of the milk been so generally satisfactory."

"The Copenhagen Milk Supply Company has never gone in for pasteurization, as it was considered unnecessary, provided the milk came from healthy cows, and was carefully handled throughout."

While, in the main, all these Copenhagen companies have the same inspection and supervision of the cows, and adopt the same methods of bottling and of carefully cleansing utensils, there are two things in connection with the Copenhagen Milk Supply Company that should be noted. The first is the filtration of the milk. After being delivered to the city receiving station, the following process of filtration is adopted:

"The milk is then passed through a filter with three wire gauze sieves, between two of which is a layer of cotton wool. After this, it is again passed through a gravel filter. This consists of two receptacles connected by a pipe, and one at a slightly higher level than the other. The lower receptacle contains layers of fine gravel, separated by perforated zinc plates, in addition to several layers of muslin. The milk poured into the receptacle at the higher level gradually rises through the gravel filter by upward filtration and is conveyed away to the bottling room. The amount of sediment which is removed from apparently clean and well-handled milk is rather surprising. The gravel is taken out daily and boiled in a solution of water and soda, and then thoroughly sterilized by steam. When the gravel is properly dry the dust collected during filtration is removed by fanners, and the gravel is ready again for further use."

Mr. Busck, the manager of this company, makes a specialty of milk for infants. In addition to providing separate milking premises and the taking of extra care in the brushing of the cows, a pail of peculiar construction is used. Mr. Porter describes it as follows:

"In the milking room the milkmaid, in a clean white dress, first wipes the cow's udder with a damp cloth. She then washes her hands prior to milking, and milks the first few jets from each teat into a separate pail. The remainder is then milked into a Busck pail. in the bottom of which is a pear-shaped copper receptacle projecting into the can. This receptacle is previously filled from below with a mixture of one part salt and three parts snow or ice. the idea being that, as milking is proceeding, each jet of milk, as it strikes this cold projecting ball, will be deprived of its animal heat, and micro-organisms, which may have got into the milk during milking, will have less favorable conditions for developing than if the milk were allowed to retain its animal heat. This milk is not passed through the gravel filter, but instead is put through the special cotton-wool filter again, previous to being bottled."

THE AYLESBURY DAIRY COMPANY OF LONDON, ENGLAND.

"The Aylesbury Dairy Company of London, England, has a world-wide reputation for the thoroughly satisfactory and successful manner in which it handles and supplies milk to a large portion of the City of London. Its headquarters are at 31 St. Petersburgh Place, Bayswater, W., London, with branch offices in fourteen other sections of the metropolitan city. In August last, I visited the plant and was given an opportunity of seeing it thoroughly in all its operations. The Managing Director, Mr. J. A. Hattersley, gave free access to all the books and records of the company and allowed me to have a thorough inspection of all the reports. The visitor who is given such an opportunity and from whom nothing is hidden or withheld, feels that the business is carried on in a straight and commendable manner.

and that the interests of the public are fully considered. The first object seems to be to serve the public, and from what I saw, the mere making of profits is not considered the main business of the company. The second thing that impresses one is the easy and thorough manner in which the best results are accomplished, without the laying down of exacting and rigorous regulations. It is made easy and advantageous for producers to produce good milk and for the employers of the company to give faithful service. At the time of my visit, extensive alterations and additions were being made to the London premises in Bayswater, a good indication of the growth of the business, showing an appreciation on the part of the public.

The supply of milk is drawn mainly from Cheshire, from farms on the estates of the Duke of Westminster and Lord Tollemache, where the steadings are models of dairy construction. I was told that modern up-to-date buildings are to be found on these farms. Unfortunately, owing to other engagements, I was unable to take advantage of Mr. Hattersley's kind arrangements for my inspecting some of the farms. The farthest point of production is nearly 170 miles from London. Special milk trains are run on the Great Western Railway, picking up the cans, which are delivered at the stations from many branch lines.

When a farmer offers to supply milk to the Company, he is furnished with a list of questions as to the sanitary conditions of the farm, etc. If the answers are satisfactory, the Company sends its Medical Inspector to inspect the farm. He is invariably the Medical Officer of Health for the District, and consequently is cognizant of the state of health of the locality and has immediate knowledge of all cases of infectious disease. He makes, at the Company's expense, an exhaustive report covering the whole field of sanitation and drainage, the personal health of the farmer and his family, of the farm hands and their families, and also of the general health of the district. He also sends for analysis in the Company's laboratory samples of the water used in the dairy for washing the utensils and for refrigeration. Great stress is laid upon the question of pure water for all purposes, for watering the stock, for cleansing and for refrigeration. Then the Veterinary Surgeon is asked to mak a report upon the health of every member of the herd. All tuberculous animals must be removed. When satisfactory reports are received from the Medical Officer and the Veterinary, a contract is sent to the farmer to be filled out and signed, fixing the approximate amounts of milk to be sent during each month, the price to be paid for same (which is a matter of arrangement between the Managing Director and the farmers), and requires the farmer to keep the Company fully informed as to the health of his animals and all persons in any way connected with his farm. There is no inducement to concealment, for if through any cause the milk from any animal or from the whole herd is withheld because of sickness, the Company agrees to pay full price for all such milk. The Veterinary makes regular examinations of the herd and the Medical Health Officer keeps a close watch upon the health of the farmer, his help and their families. Reports are received at the Company's office and filed for reference. Any person is permitted to see these reports. The veterinary reports are submitted to Sir John McFadyean, Principal of the Royal Veterinary College. The water is examined by the Company's chemists twice a year at least, oftener if necessary. The Company has its own standard, viz., 3.25 of fat and 8.75 of other solids. An examination of the records showed that the milk of December, 1908, varied from 3.58 to 4.29 per cent. fat; that for May, 1909, varied from 3.19 to 3.81 per cent. butter fat. The average for 1908 was 3.75, the same as for 1907. Every can is tested on arrival for specific gravity and every farmer's milk is analyzed twice a day, evening and morning milk alternately. The milk is also tested for temperature. A variation of three degrees from the mean is allowed. Any exceeding this amount are investigated as to the causes. Thus, on a certain day, most of the samples stood at 46, 47, 48 degrees F. Two, however, were at 59 to 60. These were at once investigated to determine the cause and the senders were notified and instructions given to prevent further trouble. During a hot day in August (the 11th), a variation of 64 to 74 degrees was found on an examination of the records. On August 20th, the day of my visit, the evening milk of the 19th received on the morning of the 20th varied from 60 to 63 degrees F. The afternoon milk varied from 60 to 66 degrees F.

There are no instructions whatever as to feeding, no recommendations, no prohibitions. Should the milk fall below the standard, the sender would be notified. Should any undesirable flavor or odor be found, the matter would at once be investigated and the farmer would be notified. He would either have to change his feeding or have his milk rejected and contract cancelled.

The matter of health, however, is of paramount importance—health of the animals of the herd, health of the persons on the farm and health of persons to whom milk is delivered, that is, of the customers.

First as to health of herd. Mr. Hattersley went over a large number of veterinary reports. In 1905, out of 32,588 cows examined, from 2,193 in September to 3,148 in November, four were temporarily withdrawn, one was tested and did not react, one was tested and turned out of stock and 16 were turned out of stock on the Veterinary's report without testing. In 1908, out of 35,062 examined, being an average of 2,922 per month, 38 were condemned, 12 suffering from cowpox, 10 turned out without testing, 12 temporarily withdrawn and four tested reacted and turned out of stock.

As to the health of the persons living on the farm reports are received at the head office by letter, telegraph or telephone; instructions are to notify at once and the company will bear the expense. I took the following from the Infectious Diseases Book of the Company showing the cost to the Company:

1899	£92	7	7	1904	£ 95	0	0
1900	57	4	0	1908	306	8	9

In 1908, scarlet fever broke out in the home of a producer. His milk was at once ordered to be withheld until the Medical Health Officer reported a clean bill of health. This one case cost the Company £161 6s. 7d., of which £148 10s. 8d. was the value of the milk not delivered to the Company.

Strict precautions are also taken in regard to health of consumers. Immediately upon receipt of report of a Medical Health Officer the regular delivery of milk ceases, and special delivery is provided, the return bottles being cleaned and disinfected separately from the others. No extra charge is made for this. What strikes one is the extreme care that is taken in regard to all sanitary aspects of the business. Every precaution possible seems to be taken to provide that the milk supplied to every consumer shall be clean, wholesome and safe from a hygienic standpoint. There are six Medical Officers and two Veterinary Surgeons in London who are in regular communication with the Company and 23 Medical Officers and 13 Veterinary Surgeons who report as to the farms.

The milk is cleaned, pasteurized and bottled by machinery. Pasteurization is practised most thoroughly. All milk sent out is pasteurized, except in the case of consumers who desire non-pasteurized milk. For them, a special lot of milk is treated by cooling. The Company make claim that no preservatives of any kind are ever used—that such treatment is not necessary.

The Company sells milk at fourpence a quart. The Company claim that the safeguards devised and put into practice are more sweeping and effectual than the precautions which are now imposed on dairies by Act of Parliament. They cost the Company upwards of £7,500 per annum, amounting to a dividend on the share capital of nearly 4 per cent."

CHAPTER VI.

Being a resume of the laws of other Provinces and States governing the supply of milk for human consumption.

Shortly after the organization of your Commission a letter was addressed to the Government of each of the other Provinces of the Dominion and of the States of the neighbouring Republic, asking for a copy of their milk laws and reports. We beg to acknowledge the uniform courtesy with which our requests were granted, as a result of which we were enabled to extend our study beyond the necessarily limited purview of personal observation. From the official records thus obtained the following brief synopsis has been prepared in the belief that it will be found of interest in the consideration of future legislation.

NEW BRUNSWICK.

By an Act passed in 1904 pure milk is thus defined: "Means the whole of the milk, including what is commonly known as the strippings drawn at the time of milking, but does not include milk that contains less than 3½ per cent. of butter fat, or is mixed with any preservative, or chemical or coloring matter of any kind whatsoever."

The Lieutenant-Governor-in-Council is given authority to appoint "inspectors, analysts, experts and any officers he deems necessary," who are given authority to select sites for dairies, see that they are properly constructed and equipped, hold meetings and give instructions, inspect stock or utensils, see that dairies are clean and wholesome, that the stock is not diseased, that the person handling the cows is not affected by contagious disease, etc., and the sale of any milk not pure is specifically prohibited.

In 1908 the following clause was added to the duties of inspectors: "Give special attention to the sources from which the cities derive their milk supply, and at least once in every year, and more often if necessary, make a thorough inspection of stock, cow byres and vehicles by which such supply is produced and carried, and furnish to owners of said stock a certificate of inspection."

W. W. Hubbard, Secretary of the New Brunswick Agricultural Commission, remarks in letter: "Very little is being done towards carrying out the present law."

QUEBEC.

Quebec dairy laws appear to be mostly, if not entirely, to foster the cheese industry. Provision is made for syndicates of cheese and butter factories and the province is divided into districts for this purpose. Elaborate provision is made for the organization and authority of these syndicates and for adequate inspection. Penalties are provided for the punishment of anyone who "knowingly and fraudulently sells, supplies, brings or sends to any factory for the purpose of being made into cheese or butter, any milk mixed with water or adulterated in any way whatever," etc. Nothing is said about milk delivered to the consumer.

SASKATCHEWAN.

There are apparently no laws on the statute books of this new province yet as to the milk or dairy business. The Government has issued what are called "Rules for Creamery Patrons and Other Dairymen," which contain some very useful advice as to stables, cows, methods of milking and conditions generally.

BRITISH COLUMBIA.

By Rules and Regulations approved by the Lieutenant-Governor-in-Council on April 1, 1909, inspectors are authorized to inspect all dairies "maintained for the supply of milk to the public" and inspectors shall grade dairies thus:

Grade A.—Premises sanitary, up to standard of Provincial Board of Health, and cows tested and shown free from tuberculosis every six months.

Grade B.—Premises not strictly up to mark, but cows that have been tested and approved.

Grade C.—Premises that conform but cows not tested.

Grade D.—Premises that do not conform and cows that have not been tested.

This grading to be published as directed by the Minister of Agriculture.

Cattle found to be affected by tuberculosis shall be marked "T" in the ear and quarantined and afterwards kept apart or slaughtered at expense of the owner.

Cattle imported for breeding purposes must first be examined by a Provincial Inspector. Fine for violation of this regulation, not less than $25, or more than $50.

The Milk Regulations of the Provincial Board of Health were passed in 1904 and include clauses as to lighting, ventilation, cleansing, including whitewashing twice a year, water supply, drainage, milk vessels, notification of disease amongst attendants, etc.

"Milk intended for sale shall have the following minimum composition: Fat, 3 per cent.; solids, not fat, 9 per cent.; maximum of water, 88 per cent." Cow keepers and dairymen must have certificate that herd is free from tuberculosis. Penalty is fine up to $100, jail up to six months.

R. W. Hodson, Live Stock Commissioner, says in a letter: "We have Dairy Inspectors throughout the Province, who visit each dairy farm in their district as often as possible, advising the farmer as to the best methods of producing clean and wholesome milk, testing the cattle where necessary. These inspectors report semi-monthly to this Department, giving us a list of the premises inspected, the number of dairy cows kept on each farm, the condition of the cattle and the condition of the premises. If the premises are not in as sanitary a condition as the regulations call for, we write to the party, forwarding him a copy of the Inspector's report, and advising him to carry out the instructions. We also forward a copy of the Inspector's report to the Municipal Council of the district in which the dairyman is living. The Municipal Council take the matter up and see that our instructions are carried out. With regard to the regulations for the control of tuberculosis, you will notice that we grade the dairies according to their sanitary conditions and as to the test. This is having a great influence in the Province, and our veterinarians are unable to keep up with the work of testing. In the country, we propose that the creameries pay a few cents less per gallon for milk which comes from an untested herd. This, I think, will bring the dairymen who are supplying milk to the creameries to time.

Each city and town has its own regulations governing the sale of milk in the city. In Vancouver at the present time they are endeavoring to have certified milk marketed, and I might state are meeting with splendid success. Already many of the milkmen have fallen in line, and have put many modern improvements in the dairies and are producing a high class article. The city of Vancouver follows the same system as that of the Government in grading the dairies. In the other cities throughout the Province, the inspectors take a sample of the milk from the wagon of each dairyman supplying milk to the cities at intervals of from one month to three months. The sample is tested and the results published in the paper. You can readily see the result of this. The milkman who is supplying milk low in butter fat, or who is supplying milk from untested cattle, loses his trade, and the man who is up-to-date, has his herd tested, and the butter fat content of the milk reasonably high, gets the patronage."

NOVA SCOTIA.

Regrets to report that there are no laws or regulations as yet.

PRINCE EDWARD ISLAND.

No laws or regulations as yet, but the matter is now under consideration.

MANITOBA.

Not heard from.

ALBERTA.

No laws or regulations as yet, but the Provincial Board of Health are drawing some up.

LOUISIANA'S INTERESTING EXPERIENCE.

Louisiana State has one of the most complete sanitary codes of any of the States of the Union. Practically every matter that could possibly affect the health of human beings is dealt with and safeguarded, and the laws in this connection fill a volume of nearly 300 pages.

The experience of the State in combating tuberculosis among cattle is especially interesting, inasmuch as it is different from any other State. A few years ago, they adopted the compulsory tuberculin test, with a provision that all animals reacting should be slaughtered or segregated according to the Bang method of treatment. They went so far as to empower municipalities which found it impracticable or too expensive to carry out the provisions enforcing the isolation of reacting cows, to establish municipal farms for this purpose. At these farms, provided they exhibited no physical evidence of the disease, the animals could be kept for breeding purposes, and a pasteurizing plant installed to pasteurize the milk. The farm was to be placed under the management of a veterinarian versed in the Bang method of eliminating tuberculosis, and the proceeds were to be divided between the owners and the municipality. In January, 1909, however, this regulation was repealed, and in its place a system inaugurated which works out to eliminate only the cattle showing clinical or physical evidence of tuberculosis. The clauses substituted for this purpose read as follows: "Section 14: No cow shall be used in any dairy or dairy farm which is known to be suffering from tuberculosis, splenic fever, anthrax or any local or general disease which is liable to render the milk from said cow unwholesome, and every person keeping a milch cow for dairy purposes shall permit it to be examined, without cost to the owner, from time to time, as to its freedom from disease by a veterinarian or veterinarians designated by the health authority, nor shall any cow be brought into or sold within the State of Louisiana for dairy purposes, and no milk therefrom sold unless said cow shall have passed the required inspection by the local health authority.

"Any cow which is found to be suffering from an incurable disease, or from tuberculosis, shall be, at once, taken to the slaughtering pen and there slaughtered, and such disposition made of the hide and carcass as the health authority shall determine. The veterinarian or veterinarians, designated by the health authority, shall examine the milch cows in dairies and dairy farms in this State as often as the health authority shall order. Such veterinarian or veterinarians shall specially examine to discover the presence of tuberculosis in such cows, and no cow not clinically sound of tuberculosis shall be permitted to remain in the dairy, but shall be condemned, removed and slaughtered as hereinabove set forth.

"A clinically sound cow, in this connection (*i.e.*, as to tuberculosis) is defined to be one free from swelling of bones, joints, lymph-nodes or swelling of other soft parts; from induration of portions of the udder; from repeated diarrhœa and discharge from the vagina; from the repeated distention of the rumen with gas; from cough and physical signs of lung disease—these pointing to tuberculosis.

"Provided, that in the event any cow shall present one or more of the clinical symptoms enumerated above, sufficient to create a reasonable doubt in the mind of the veterinarian designated by the health authorities as to the existence of tuberculosis, it shall finally be determined by the application of the tuberculin test; and if said cow reacts under said test, it shall be slaughtered as hereinabove provided."

All cows found to be healthy are to be sold tagged and cannot be removed from the dairy without notifying the health authorities.

In explanation of this important change, the Secretary of the Louisiana State Board of Health, Dr. Hamilton P. Jones, writes the following significant letter to the Commission:

"The reason the Bang method was left out in the more recent revision of the Sanitary Code of the State of Louisiana was that it was deemed impracticable to enforce this method with the money at the disposal of the Louisiana State Board of Health, and also due to the very decided opinion of a number of members of the Board as to whether the dangers of the spread of tuberculosis, through cattle, was of a serious enough nature to warrant this tremendous expenditure at the sacrifice of a more vigorous campaign carried on among members of the human race itself. This was partially brought about by recent investigations made on the Island of Cuba, having a population of 2,000,000 souls, where absolutely no milk except that which has been boiled is consumed, tuberculosis there being more prevalent than it is in any of the States of the United States, and in all of its forms—bone, intestinal and pulmonary. It was also found that the cattle on the island rarely, if ever, have tuberculosis, either human or bovine."

The law of Louisiana also provides that no milk shall be sold for human consumption containing more than 100,000 bacteria per cc.

DISTRICT OF COLUMBIA.

In the District of Columbia, which includes Washington, the capital of the United States, and the home of all the experts of the Federal Government, a very complete milk law is in force. Inspection is the underlying principle. Tuberculin testing of cattle is not compulsory, although it is strongly urged. Pasteurization is likewise not compulsory. One section reads "The Health Officer of the District of Columbia or his duly appointed assistants, shall have the right to enter, without previous notice, for the purpose of inspection, any dairy or dairy farm within the said district." No person is allowed to keep a dairy farm within the District, or bring or send milk from outside States, without a permit from the Board of Health. Such permit is granted only when the Health Officer, after examination, is satisfied that the milk can be delivered without danger to the public health. Such permit may be refused or revoked whenever the milk supply from said dairy or dairy farm is "exposed to infection by Asiatic cholera, anthrax, diphtheria, erysipelas, scarlet fever, smallpox, splenic fever, tuberculosis, typhoid fever, typhus fever or yellow fever so as to render its distribution dangerous to the public health." The quality standard is three per cent. butter fat and twelve per cent. total solids. Strict regulations have been drawn up respecting water supply, drainage, ventilation, air space, floor space and cleaning, and to secure isolation of cattle suffering from contagious diseases. All conditions apply alike to dairies outside and inside the district.

The population of the District, chiefly located in Washington, is 329,000, about the same as Toronto. The milk comes from 904 farms, located in five different States. In his 1908 report, Dr. C. W. Woodward, Health Officer, states that 4,388 inspections were made during the year, and 72,246 cows were examined; of these, 220 were condemned as unfit, 181 on account of tuberculosis, and 46 on account of diseases of the udder. In the District itself, 726 were tested with the consent of the owners, and 56, or 7.7 per cent. reacted. Dr. Woodward remarks, "The Health Department does not believe that the removal of tuberculosis from among our dairy herds is going to result in the disappearance of all tuberculosis, or even any considerable amount of tuberculosis, among human beings." But he believes that if only one per cent., or eight lives, could be saved, and a correspondingly large amount of sickness prevented, the absolute eradication of tuberculosis from dairy herds would be worth while.

Whatever the cause, there has been a distinct decrease in the infantile mortality during the past ten years. In 1907 there were 2,019 more births than in 1898, and yet there were 124 less deaths under one year and 299 less deaths under five years. There were 108 less deaths under one year in 1907 than in 1906. An analysis of location reveals the fact that the rate under one year in the "alleys" was 296.55, as compared to 171.05 in the street.

CALIFORNIA.

California State law makes it unlawful for any person to interfere with the duly authorized inspectors or agents of the State Dairy Bureau or of any city or county Board of Health entering any place where milk or milk products are produced, manufactured or prepared. The standard is three per cent. butter fat and 8.5 solids not fat. The State boasts of having four certified milk farms, including Arden, owned by the late E. H. Harriman. Dr. A. R. Ward, author of books on milk, is the director of the State Department of Bacteriology. The State Board of Health publishes a fifteen-page bulletin each month on the health of the State.

VERMONT.

Vermont State has just passed a law providing for the inspection of dairies. By the Bill which went into effect April, 1909, all persons selling milk must first get a license from the Board of Health from the town or city in which they desire to sell. Before the license is granted, the State Board of Health must make a thorough examination of the cows producing such milk, of the barns and utensils, and such license shall not be granted unless the cows are found healthy and the barns and utensils clean and sanitary. Twice a year at least the local Board of Health shall forward samples of milk from all herds to the State Laboratory for examination.

OHIO.

Ohio State in 1908 started a systematic inspection of dairies and creameries under the supervision of the Dairy and Food Commissioner. It was announced by the Commissioner that the visits of the inspector were "not so much for the purpose of securing evidence for prosecutions as to point out the mistakes the producer may be making and help him to correct them. A visit in some instances may change an unprofitable business to a profitable one, an unsanitary product to a sanitary, a bad product to a good one." A special effort was made to improve sanitary conditions, having in mind the healthfulness of the cows, cleanliness of the surroundings of the barns, and utensils, and healthfulness of attendants. The milk standard was 12 per cent. total solids and three per cent. butter fat. It was provided that milk should not be sold in the following instances:

(1) From cows fed on unhealthy feed;
(2) From cows fed on wet distillery or starch waste;
(3) From diseased or sick cows;
(4) From cows kept in a place that is unclean or in an unsanitary condition;
(5) From cows kept in a cramped or unhealthy condition;
(6) When water or other foreign substance has been added;
(7) When it is unclean, impure, unhealthy, or unwholesome.

MONTANA TUBERCULIN TEST.

Montana appointed a Meat and Milk Inspection Commission in 1903 and inspectors were then appointed in each county of the State, each inspector being a qualified veterinarian. They were instructed to inspect each dairy supplying milk to the public at least once a month and to issue a certificate of health, including sanitary condition, every three months. The certificate of health included the statement that each cow was free from tuberculosis or infectious disease, said freedom to be determined by the tuberculin test. The inspector was also empowered to prohibit the sale of milk if he found lack of cleanliness in the matter of the cows, the stables or the utensils. Twelve per cent. total solids, nine per cent. solids not fat, and three per cent. butter fat constitute the standards of quality. They also have regulations against keeping cows in crowded or unhealthy places or feeding them unwholesome food.

IDAHO.

Idaho State law provides for prosecution in case the milk fails to come up to any of the following standards: three per cent. butter fat and eight per cent. total solids not fat: drawn fifteen days before or four days after parturition; drawn from cows having any disease or ulcers or other running sores; if the cows are kept in a crowded, unsanitary or unhealthy condition, or in unsanitary stables or enclosures; if the cows are fed on distillery waste or other substances in a state of putrefaction; milk to which has been added borax, boracic acid, salicylic acid or other substance which prevents or tends to prevent normal bacterial action. A State dairy, food and sanitary inspector is employed to enforce this and other food laws, and is given full inspectorial powers.

MAINE.

In the State of Maine the Commissioner of Agriculture is authorized to investigate the production, manufacture, transportation, storage and sale of milk, cream, butter or other dairy product; to take samples and have the same analyzed. He is also authorized to publish in regular or special bulletins the results of such analyses, giving names of persons from whom samples were obtained, together with any suggestions he may deem advisable. Once a month at discretion he may distribute the result of these analyses to the newspapers of the State. All milk dealers must make State registration and receive a State certificate. Selling milk from an animal known to have tuberculosis is punishable by a fine of from $5 to $50. Whoever sells milk from cows known to be diseased, or kept in a filthy or unsanitary condition, or milk to which water or any foreign substance has been added or from which any cream has been taken, or milk in cans or other utensils that are not kept clean and sanitary, is liable to a fine of $50 for the first and $100 for the second offence. When milk is found to contain over 88 1-4 per cent. water, or less than 8 1-2 per cent. solids other than fat, it shall be deemed *prima facie* evidence that said milk has been watered, and when milk is found to contain less than 3 1-4 per cent. fat and 11 3-4 per cent. of solids, it shall be deemed *prima facie* evidence that cream has been extracted; in either case a fine of $50 may be imposed. Protection is given to the owners of bottles, cans, jugs or jars used in the handling of milk or cream by providing that the name of the owner and the word "registered" may be blown in and then registered in the office of the City Clerk and State Secretary and advertised in the local paper for four weeks. It shall be unlawful to detain, mutilate or put any foul or unclean material into such milk can, jug, bottle or jar. Towns and cities of 3,000 or more inhabitants and other towns on the application of ten voters may appoint a milk inspector.

VIRGINIA.

On June 1, 1908, Virginia State installed a Dairy and Food Commissioner. He was given supervision of all foodstuffs. He was directed to foster and encourage the dairy interests of the State and to cause instruction to be given in creameries, cheese factories, farm dairies, etc. He was directed where impure milk or cream was produced owing to improper handling or unsanitary conditions or surroundings, to warn such persons that unless they corrected such conditions they were liable to a fine of from $10 to $50 and imprisonment. A systematic inspection of dairies was undertaken all over the State. Preliminary reports showed that dairies operating under inspection of the cities showed up very well, whereas those operating with little or no supervision were in an unsatisfactory condition. Steps were at once taken to bring all dairies up to a good standard. It was found that much interest was shown by dairymen in the sanitary production of milk and feeding and care of their herds, and the inspectors were instructed to give special attention to the educational feature of their work. In drawing up his rules and regulations the Commissioner included dairies along with all other places in which food was produced or handled in the following list: bakeries, confectioneries, canneries, packing houses, slaughter houses, dairies, creameries, cheese factories, restaurants, hotels, groceries, meat markets. It was provided that they should be "properly lighted, drained, plumbed and ventilated, and conducted with due regard for the purity and wholesomeness of the food threein produced." A standard of 3.25 butter fat and 8.5 solids not fat was adopted for milk.

MINNESOTA.

Minnesota State has had a Dairy and Pure Food Commissioner for over twenty years. Inspection is a leading feature of the milk work. The Commissioner is empowered to make an inspection of dairies and all places where cows are kept and require the correction of all unsanitary conditions found. Municipal authorities are also empowered to provide for the inspection of milk and butter sold in their limits and of dairies and dairy herds kept for the production of such milk or butter. The inspectors report a big improvement in the herds and stables of late years and declare that the dairymen with few exceptions are anxious and willing to improve the conditions of their dairies. The State standard is 3 1-2 per cent. fat and 13 per cent. total solids, and adding preservatives or other adulteration to milk or selling milk from cows kept in an unsanitary condition or which are diseased, etc., is made an offence.

NEW JERSEY CERTIFIED MILK.

New Jersey State in April, 1909, passed a law providing for the incorporation of the Medical Milk Commission, and the certification of milk produced under their supervision. This legislation was secured by the Essex County Medical Milk Commission, the very first organization of its kind, after which all subsequent bodies have been modelled. It provides that any five or more physicians may associate themselves together for the purpose of "supervising the production of milk intended for sick-room purposes, infant feeding and for use in hospitals." They may enter into contracts with dairymen to supply certified milk according to the standards of the Commission. They may certify such milk, and anyone selling milk as certified without a certificate from such commission is guilty of a misdemeanor. The object of the legislation evidently is to give State recognition and protection to certified milk.

CONNECTICUT.

Connecticut State Dairy and Food Laws give the Dairy Commissioner or his assistants authority to investigate the premises of any farm or dairy where any unsanitary conditions affecting the products are suspected of existing. The Commissioner may order the abatement of such condition and for ignoring the order the owner may be fined up to $25.

The milk standard is 3 1-4 per cent. fat, 8 1-2 per cent. solids not fat; 11 3-4 per cent. total solids; not more than 88 1-4 per cent. water. Skimmed milk must be stamped as such. Milk receptacles must not be used for any other purpose, or be allowed to contain any offal, swill, kerosene, vegetable matter, rotten or putrid milk or any other offensive material.

Power is given to the "warden and burgesses of a borough or the mayor with the approval of the common council of a city" to appoint a milk inspector who may inspect all milk or cream sold in the city, all animals producing such milk and the places where they are kept and the milk is handled, whether inside the city or not.

"Every person who shall knowingly sell or expose for sale milk or any product of milk from a cow which shall have been adjudged by the Commissioner on domestic animals affected with tuberculosis or other blood disease shall be fined not more than seven dollars or imprisoned not more than thirty days, or both."

MISSOURI.

At the 1909 session of the Legislative Assembly of the State of Missouri, an Act was passed creating a Bureau of Dairying, etc. Under it a State Dairy Commissioner was appointed, and he was empowered to " inspect or cause to be inspected all creameries, public dairies, butter and cheese factories, milk depots, market houses and places where dairy products are sold, wagons, boats, railway cars or other methods of transportation at least once a year." He shall also at least once a year "hold public meetings at each creamery, public dairy, butter or cheese factory" to give instructions in the proper methods for the care and production of milk, in the care and feeding of the cows, in the raising of crops for dairy purposes, etc. He is given full power to enter the places named at any time, including the barns and premises of all farmers who produce milk or cream for shipment. The State standard is fixed at 3.25 per cent. butter fat and 8.75 per cent. solids not fat.

DEFINITIONS.

In pure food laws in force in several States milk is defined as " the fresh, clean, lacteal secretion obtained by the complete milking of one or more healthy cows, properly fed and kept, excluding that obtained within fifteen days before and ten days after calving and containing not less than eight and one-half per cent. of solids not fat and not less than three and one-quarter per cent. of milk fat."

Pasteurized milk is defined as " milk that has been heated below boiling but sufficiently to kill most of the active organisms present and immediately cooled to 57 deg. F. or lower."

EXHIBITIONS AS AN EDUCATIONAL AGENCY.

One of the agencies adopted in the United States for the improvement of the milk supply is the competitive exhibition of milk and cream. The first such exhibition was held in connection with the National Dairy Show in Chicago under the direction of the Dairy Division of the Bureau of Animal Industry of the Federal Department of Agriculture in 1906. This was followed by several State exhibitions, and finally, in 1907, developed into a city exhibition. The first city exhibition was held at Cleveland in 1907, and was continued in 1908, in which year a similar exhibition was also held at Pittsburg. The objects were, first, educational; second, to determine the possibilities in the handling and keeping of milk and cream produced under sanitary conditions and kept cold; and, third, to test a score card for rating fairly and accurately this class of dairy products. There were three classes in the contest, as follows:

Class I. Market milk (raw): This comprised all milk not " certified " or sold under any guaranty as to its quality. A very large percentage of the milk supplied to our cities is of this character. It was specified that the milk in this class must not be pasteurized or contain any preservatives.

Class II. Market cream (raw): It was specified that this product should be sweet, unpasteurized, and free from preservatives.

Class III. Dairy farms: All dairymen having exhibits of milk or cream in the above classes were permitted to enter the dairy farm contest. These farms were visited by the judges and scored on the basis of a score card. The results of this contest were published as Circular 117 of the Bureau of Animal Industry.

At the Pittsburg exhibition there were 50 entries of milk, 11 entries of cream and 20 entries in the dairy farm competition. There were approximately 400 dairymen present at the meeting, which included addresses by several prominent experts on the question. The plan has been found very successful in developing a co-operative spirit between the city and the dairy farmer and has been followed by very beneficial results.

ISLAND OF PORTO RICO.

In the island of Porto Rico a Sanitary Regulation was passed in 1905 providing "that no person could engage in selling milk without securing a license from the Health Officer of the municipality in which the applicant resided. It was provided also that licenses issued might be revoked if the licensee failed to observe the rules, restrictions and conditions under which the license was issued. Each licensee was held responsible for his employees. There is a provision against adulteration. Persons in any way connected with the sale of milk must not, under any consideration, enter any place where there exists contagious disease, but must report such disease at once to the Health Officer. It is added that "no person shall sell or deliver milk at a house that has been placarded for contagious disease, unless such milk is delivered at the door in a suitable vessel which shall not leave the house thus quarantined. Health officers and sanitary inspectors are empowered to inspect and seize milk that is thought to be contaminated or unfit for food, and if such is found to be the fact upon analysis, shall prosecute. One clause peculiar to the local conditions of the island reads: "The Health Officer shall issue licenses for the sale of milk from cows milked on the street at the residence of customers." This industry shall be carried on during certain hours of the morning and afternoon, but never during the noon hours. All persons engaged in this industry shall take the necessary precautions to prevent contamination of the milk and shall adopt the necessary measures so that the udders shall be well washed before milking and that the milker shall have his hands clean and the vessel used for milking shall also be perfectly clean.

CHAPTER VII.

Being the Views of Eminent Experts going to show the Increased Commercial Value of Milk produced under Sanitary Conditions.

In other chapters an effort has been made to present the virtues of cleanliness for the sake of cleanliness and for the sake of protection to health. It is the purpose of this chapter to show the value of cleanliness and sanitation because of the increased revenue which it will mean to the milk producer.

The idea prevails that the only way to increase the returns from a dairy herd is by means of an increase in the price of milk. Experience shows, however, that far from being the only way, it is not even the better way. It is more important to increase the returns by increasing the production per cow and decreasing the cost of production. This can be accomplished by a little extra attention and study, such as would be adopted in the successful carrying on of any other line of business. Those in the dairy business, like those in any other business, should be guided by systematic business principles.

An illustration of what can be accomplished is shown in the experience at one of the public institutions of the Province, which was visited by your Commission. At the Hospital for the Insane at London, considerable attention has recently been devoted to the dairy herd. New concrete floors have been put in the stable and attention has been paid to other points of sanitation. All the cows have been tuberculin tested. Dr. W. J. Robinson, the Medical Superintendent, began with the idea that any cow which did not yield 6,000 lbs. per year would be disposed of. The result was that at the latest test the herd of 20 cows, for the full period of lactation, averaged 7,724 lbs. each. The average number of days' milking was 315. The seven best cows averaged 9,483 lbs. during their lactation period of 350 days. As a result the standard has been raised to 7,000, and they expect in the coming year to have a herd which will average close to 8,000 lbs. each. This has been accomplished by attention to the matter of selection and care, and can be duplicated, to some extent at least, by a large number of dairymen in all parts of the Province. This means a larger revenue from the herd whether the milk be sold for manufacturing purposes or for domestic consumption.

Then, greater care in the production of milk, which is the raw material, means a finer type of cheese or butter, which is the finished product. It is a well known fact that there is great room in this Province and in this Dominion to increase the amount of cheese used for home consumption. One of the surest ways to accomplish this is to improve the quality of the cheese. An enlargement of the market both at home and abroad is earnestly to be desired.

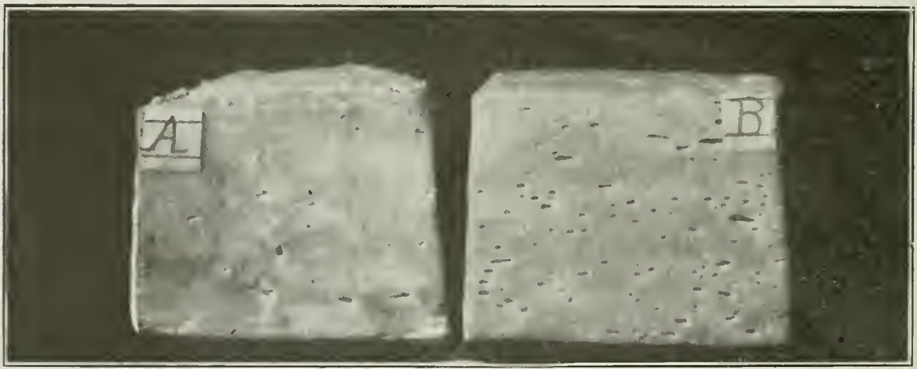
To this end it is important that the most modern experience should be brought to the attention of those engaged in this great industry in this Province. We therefore beg to include in this Report the testimony of men whose positions entitle them to speak with the authority of first-hand knowledge. The statements which these experts have furnished your Commission should be closely studied.

MEANS MILLION DOLLARS YEARLY, SAYS MR. PUBLOW.

Mr. G. G. Publow, Chief Instructor and Sanitary Inspector for Eastern Ontario, says:

"As to the defects in the milk delivered to the cheese factories in Eastern Ontario, I might say that the greatest trouble we have to deal with is the milk being delivered in an over-ripe and tainted condition. These defects are very largely due to the unsanitary condition of the cows and stables and the lack of proper facilities for the cooling of the milk immeiately after being drawn. I would suggest that your Commission give this matter your special attention, as I believe that the greatest amount of good can be accomplished with the least expenditure by special attention being given to the conditions on the farm under which the milk is being produced. I feel confident in saying that if all the milk were delivered to our cheese factories in as good condition as the best is at the present time, a pound of cheese could be obtained from about half a pound less milk than is required under present conditions, and the saving in this respect on the milk delivered to the cheese factories in Eastern Ontario this season would amount to nearly half a million dollars.

"As an illustration of this, on August 7th one of our instructors visited a factory in which the milk was being delivered out of condition. The amount of milk received on that date was 12,252 lbs. The milk tested 3.5 of fat, and the amount of cheese made from this milk was 1,064 lbs., or, in other words, it required 11.51 lbs. of milk to make a pound of cheese. After spending a couple of days visiting the patrons and having them pay more attention to the sanitary conditions and the cooling of the milk, the instructor spent another day in the factory on August 11th. On thtis day 12,711 lbs. of milk were received, testing 3.5 of fat. The amount of cheese made was 1,170 lbs., or, it required 10.86 lbs. of milk to make a pound of cheese. These results were obtained under average factory conditions and demonstrate conclusively the advantage to be derived from the proper care of the milk on the farm.



A. Curd from milk cooled but not aerated. B. Curd from milk aerated and cooled. Showing the ideal way of caring for milk is immediately cooling with ice or cold water without aeration or exposure to the air. The numerous round holes which are shown in the piece of curd marked "B" are the result of the growth of gas-forming bacteria in the milk. The holes which appear in the curds marked "A" are not gas holes but are mere mechanical holes. The formation of gas holes in the curd is usually accompanied by very objectionable flavors.

"In addition, the quality of the cheese is greatly improved, and I feel safe in saying that if all our cheese was as good as the best, the value of our cheese would be increased at least half a cent per pound, which would have amounted to another half a million dollars to the cheese factory patrons of Eastern Ontario this season. These figures speak louder than words."

EXPOSURE TO THE AIR VERY WRONG, SAYS MR. RUDDICK.

Mr. J. A. Ruddick, Dairy Commissioner at Ottawa, makes the following statement: "The main point which has been demonstrated by our investigations during the past two years is that exposure of the milk to the air in any way is likely to cause considerable contamination. Cooling of the milk without exposure to the air in any way is the one strong lesson from these investigations. It is obvious that if we adopt methods which produce better milk and enable us to make a better quality of cheese, the dairymen must derive a direct benefit from it. Such a result is far-reaching in its effects. An improved quality encourages an increased consumption, the demand is improved and values increase accordingly."

Mr. Ruddick also placed at our disposal the results of the experiments of Mr. Geo. H. Barr, chief of his experimental work, on the care of milk for cheese making. Mr. Barr's experiments were a continuation of those of 1908, which pointed clearly to the fact that cooling the milk without aeration immediately after being drawn gave the finest curds and cheese. In the past year's experiments the milk was taken care of by the patrons of a cheese factory following instructions. The idea was to ascertain the loss in making tainted or over-ripe milk into cheese. The forty patrons were divided into two groups, each being given different instructions so as to furnish a comparison.

The results are briefly told in a series of tables. The first shows the effect of the temperature during the night or the flavour and texture of the curd tests and the curds in the vats.

Lowest temperature during night.	Treatment given evening's milk.	Curds clean flavor.	Curds solid texture.
		%	%
59.60	Cooled,	100.0	100.0
59.60	Not cooled,	33.3	33.3
63.64	Cooled,	50.0	100.0
63.64	Not cooled,	50.0	100.0
65.67	Cooled,	100.0	100.0
65.67	Not cooled,	....	....
67	Aerated and cooled,	....	....
67	Cooled only,	50.0	....
70.71	Cooled,	100.0	100.0
70.71	Not cooled,	....	....

"This table shows plainly that the temperature of the nights had very little effect on the condition of curds when the milk was cooled, but a decidedly bad effect when the milk was not cooled. None of the cooled milk was aerated. The not cooled milk was either dipped or stirred without cooling."

The following table shows the condition of the curds in the vats:

Method of treating milk at the farms.	Number of curds.	Curds clean in flavor.	Curds with no gas.
		%	%
Cooled without aeration......	16	81.25	68.75
Cooled and dipped...........	2	....	....
Dipped without cooling.......	6	....	33.33
Stirred without cooling......	5	40.00	40.00

This shows the loss of fat in the whey:

From milk cooled without aeration	.20 %
" " and dipped.................. ..	.22 %
" stirred without cooling...............	.22 %
" dipped without cooling...............	.24 %
" in sweet, clean flavored condition.....	.194%
" in gassy condition	.216%
" in over-ripe condition	.250%
" in over-ripe and gassy condition......	.273%

This shows the flavour of the cheese, 1909:

Method of treating the milk at the farms.	Tested when about three week sold. Flavor good but not quite clean.	Tested on Oct. 16th. Flavor good but not quite clean.
	%	%
Cooled without aeration...	93.7	50.0
Dipped and cooled..........................	50.0	....
Dipped without cooling	50.0	17.0
Stirred without cooling............................	100.0	50.0

Cheese made between June 11th and August 12th.

"After two seasons' work," concludes Mr. Barr, "I am quite convinced that no method of cooling the milk will produce the finest flavoured milk, or make fine flavoured cheese, unless everything is kept scrupulously clean and the cows receive clean, wholesome feed and water.

"Where the whey is returned in the milk cans, it should be pasteurized and the tanks kept clean. It is simply impossible to have the finest flavoured cheese when sour, dirty whey is returned in the milk cans or when rusty milk cans or pails are used. If cheese factory patrons would exercise reasonable cleanliness in taking care of the utensils used for milk and in milking the cows, and then cool the evening's milk immediately after it is drawn from the cow to sixty or sixty-five degrees, with as little exposure to the atmosphere as possible, and cover it up, we would have practically no bad flavoured cheese to put on the market. Our cheese-makers would be saved much hard labour and worry and there would be thousands of dollars extra in the pockets of both factorymen and patrons."

STATEMENT BY PROF. DEAN.

On the sanitary production of milk for the manufacturing of cheese, butter and condensed milk, H. H. Dean, Professor of Dairying at the Ontario Agricultural College, makes the following statement:

"This may be considered as a triangular or three-sided question—the farmer's or milk producer's, the manufacturer's, and the consumer's. For our purpose we shall reverse the logical order and consider first the consumer's interest in the subject.

"Every household has butter of some kind on the table for the most part three times a day. Cheese is not so largely used in Canada as in Great Britain because Canadians have yet to learn the food value of cheese in their dietary. Condensed milk and milk powders are coming more into general use. Because of these facts the consumers are largely interested in the question of clean and sanitary milk used in the manufacture of their food products. Hardly anyone would care to use food that he knew to be produced from dirty or unsanitary raw material. It is because of the consumer's ignorance that so little is heard from him on this question. It would pay him to insist upon strictly sanitary milk and cream and sanitary places of manufacture, and then be willing to pay the cost for clean food. The improvement in health and the additional earning power resulting from clean, wholesome food would more than counterbalance the extra price required for the production of the best manufactured dairy goods.

"All manufacturers of dairy products know that it is much easier to make fine goods and more of them out of good than out of poor raw material and that it is easier to sell first-class finished products than it is to sell inferior goods. The finest cheese, butter and condensed milk almost sell themselves. Customers are looking and asking for them and they are pleased when they receive them. A pleased customer makes trade easy.

"Tainted or gassy milk is much more difficult to handle and turn into first-class finished products than is clean milk. More labour is required to manufacture inferior raw material. Hence, the manufacturer has a double interest in trying to secure better milk and cream—his customers will be better pleased with his goods and the cost of manufacturing is reduced. The foregoing principles apply whether the manufacturer be a private owner or a joint stock company.

"Assuming that the milk producer will receive pay for clean milk and cream, and that those who do not come up to a certain standard of care and cleanliness will be forced out of the business, I offer the following suggestions on how to produce reasonably clean and sanitary raw material for the manufacture of finished dairy products.

"A clean, healthy cow is the first thing necessary. When healthy cows are out of doors on clean, dry pasture fields, we have ideal conditions for the production of clean milk. It is when cows are brought inside that the trouble begins. In spite of all the devices and contrivances in use on dairy farms, the ideal sanitary housing of cows has not yet been solved. A well ventilated stable, stalls of proper length with a "drop" behind the cows, having the udders and flanks clipped, and the frequent use of curry comb and brush (we have now vacuum cow cleaners) will assist very much in getting clean milk. Give the cows exercise every day in fine weather.

"Cement floors and mangers having little or no woodwork in connection with them are great aids in obtaining clean milk. If the cows tend to cripple on the cement floor, moveable wooden platforms may be placed in each stall for the cow to stand on.

"The food of the cow should be clean and wholesome, free from dust and bad flavour. Dusty hay and bedding are common sources of trouble in milk. Turnips, distillery slop and wet brewers' grains should not be fed to milk cows. Corn silage, mangels, clover hay, oats, bran and oilcake are standard foods for milk production. Give of the roughage what cows will eat up clean and of the meals according to milk flow—on the average about 4 lbs. bran, 3 to 4 lbs. chopped oats and 1 to 2 lbs. oilcake per cow daily.

"The milker should wear clean clothing, have clean hands, use a clean pail with a small top, and a clean stool. Wipe the cow's udder before commencing to milk and exercise all reasonable care in order to get clean milk. Visible dirt should be removed at once by the use of a cloth or fine brass sieve strainer—both of which must be kept clean and in fresh air and sunshine as much as possible when not in use. To prevent the multiplication of bacteria where the milk is sent the factory it should be cooled as rapidly as possible to a temperature below 65 degrees F.—better to 50 degrees F. To do this ice is necessary on most farms. One ton of ice for each cow ought to be stored for cooling milk and cream. For cooling milk, a trough or box which will hold all the cans of milk and have room for ice is a convenient method. Milk should be delivered to the manufacturer as soon as possible after it is drawn from the cow.

Cheese Factory, common in Ontario twenty-five or thirty years ago; unfortunately a number still survive.

"Where cream is sent to a creamery, it is best to separate the milk immediately after milking, taking a cream which will test about 30 per cent. fat, then cool the cream immediately to 50 degrees F. or below. It also ought to be delivered to the creamery in the shortest time possible after separating.

" The separator should be located in a clean room, and be thoroughly washed after each time of using.

"These suggestions, if followed, will result in an improved raw material for the manufacture of cheese, butter and condensed milk, which means improved quality in the manufactured goods, which logically means higher prices and more profits to those engaged in the dairy business."

BUSINESS-LIKE METHODS CREATE PROFITS, SAYS MR. HERNS.

Mr. Frank Herns, Chief Dairy Instructor for Western Ontario, makes the following statement:

"It is a fact well known among our Western Ontario dairymen, and practised to a greater or less extent by them, that the greater care given the cows in the way of feeding succulent food, having properly ventilated stables and exercising reasonable cleanliness, the greater will be the production of milk per cow, and they are beginning to realize quite fully that, after all, profits must come from the heavy production of the individual cow, with the economical cost of food taken into consideration.

Education and agitation of Dairymen's Associations and other agencies have resulted in the improved condition at factories such as this.

"When the milk has been properly cared for at the farm by proper attention to cleanliness and cooling, it will arrive at the factory in such a condition that the greatest amount and the best quality of cheese can be produced, thus insuring a less number of pounds of milk being required to make a pound of cheese, which means a greater profit.

"When the quality of cheese is the finest that is put on the market, it no doubt stimulates consumption and by so doing increases the price per pound.

"Quoting from some experiments carried on in Western Ontario during the season of 1909, we find that where milk arrives at the factory over-ripe (sour) and tainted, a loss will occur during the manufacture equal anywhere from 10 to 30 lbs. of cheese in a vat of milk containing 5,000 lbs. This loss will be somewhat according to the degree of acidity at which the milk is received. Putting cheese at 11 cents per pound, we have a loss to the patrons of from $1.10 to $3.30 on 5,000 pounds of milk. Not only have they this loss, but it is impossible with even our most skillful makers to produce cheese from such milk that will pass as the finest, so that often there is a second loss on quality when the cheese are placed on the market, anywhere from 1-8 to 1 cent per pound of cheese.

"Cheese made from tainted or over-ripe milk when placed on the market must not only often be sold at a lower price, but take the place of the finest cheese, and in that way help to stop consumption, as consumers will buy a larger quantity of fancy goods even at higher prices than they will goods of poor quality and flavour. The other producers of milk must also suffer in many cases for the neglect of a few patrons who do not take proper care of the milk, since all the milk is mixed together on arrival at the factory and any loss on quantity or quality must be borne by all the patrons of the factory, although the tainted milk may have been furnished by only a few patrons.

"Something along the same lines may be said with regard to the production of cream for the creameries. When thin, sour, tainted cream is sent to the creamery, the butter will be of poor quality, off in flavour, lacking the necessary keeping qualities, and the loss of fat in the buttermilk after churning will be very much greater than from cream received in proper condition. So that not only does the general quality of the butter made depreciate in value, but a less quantity can be made from the cream. Poor butter also lessens consumption and becomes more or less a drug on the market, besides injuring the reputation of the finest creamery butter.

"The sanitary condition of our factories also has an effect on the general price received, since if consumers are assured that all dairy products are manufactured under clean, sanitary conditions, and by men who are known to be clean and tidy, they will without any hesitation buy a greater quantity of such products.

"Arguments innumerable can be put forward that clean, sanitary, businesslike methods will create profits in the dairy business. We believe these up-to-date methods are growing in Western Ontario."

INSTRUCTOR GIVES CONCRETE ILLUSTRATION.

As a result of his experience during the past summer as Dairy Instructor, S. S. Cheetham makes the following statement:

"What is much needed at the present time is that the factories and their surroundings inside and out be kept in a better sanitary condition, with a cool curing room in connection, where the temperature can be controlled and the whey properly pasteurized from start to finish, and the raw material delivered to the factory in a clean, sweet, cool condition. With these conditions we should have no difficulty in making 2.6 of a pound of cheese for every pound of fat in the milk. One of our factories which is equipped with a cool curing room, where the temperature can be controlled, started pasteurizing whey last spring and they succeeded in making 2.6 of a pound of cheese for every pound of fat in the milk from May 1st until November 1st. Last season I received a monthly statement from 9 of the factories in my section and I found that the makers could and did make 2.6 of a pound of cheese for every pound of fat in the milk for the months of May and October, although the milk tested 3.4 in May and 4.1 in October, and those 9 factories lost in the other four months over $2,000 by not being able to make 2.6 of a pound of cheese per pound of fat in the milk.

"August 7th—milk received, 12,252 lbs.; cheese made, 1,064 lbs.; an average of 11.51 lbs. milk to make a pound of cheese. The milk arrived at the factory at 83 degrees temperature and had a lactometer reading of 31.5 at 60 degrees and contained 3.5 per cent. of fat. August 10th—I visited factory and asked patrons to deliver their milk the next morning in a good cool condition. August 11th—milk received, 12,711 lbs.; cheese made, 1,170 lbs.; or an average of 10.86 lbs. of milk for a pound of cheese, or 14 lbs. cheese over, making 2.6 of a pound for every pound of fat in the milk, and making a gain of 67 lbs. cheese on the one day's make, or at the selling price at that date, of $7.71.

"Now what have we lost in these 42 factories this season? Had we made 2.6 of a pound of cheese for every pound of fat in the milk, we would have made 96,356 lbs. more cheese, which is worth at the selling price, $10,850.54."

CHAPTER VIII.

Being the Story of the Influence of Infants' Milk Depots in Lessening Infantile Mortality in other Countries and some Figures to show that more should be done along these lines in Ontario.

Infantile feeding and infantile mortality are subjects so closely allied as to be inseparable. Cow's milk is the chief factor in artificial infantile feeding. Artificial feeding has become so deplorably general that experts affirm that the great majority of deaths under one year are from among those who for one reason or another are denied the nourishment nature intended. To these fundamental facts more and more thought and study has been devoted during the past few years in Europe, in England and in the neighbouring Republic. The results have been so illuminating in showing this to be a very important phase of the milk question that we feel it incumbent upon us to digress briefly from the general problem to call attention to some facts and figures in reference to Ontario which must be regarded as striking, if not startling.

DEVELOPMENT OF MILK DEPOTS.

This branch of milk reform has been worked out through infant milk depots and kindred agencies, and the story of their history and accomplishments as set forth in current literature is of interest and importance. They are of French origin, being known in France as "consultation de nourrissons" and "goutte de lait." As first established in 1893, the "consultations" were connected with Paris hospitals, and hence the "goutte de lait" more closely represents what is understood now by an infants' milk depot, and they were not started until 1894 by Dr. Leon Dufour at Fecamp. In the meantime, in 1893, Mr. Nathan Straus had opened his first depot in New York to dispense his scientifically pasteurized milk. It was not until 1899, ten years ago, that the idea was introduced in England, the town of St. Helen's in Lancashire being the first to adopt it. Once introduced, the idea was quickly taken up by Liverpool, Battersea, Finsbury and other large centres. During the past five or six years there has been remarkable activity along those lines. Over a hundred places in France are now served by these depots, which have also been established or extended in the cities of almost every country in Europe. In 1906, a conference of health authorities and others interested in the reduction of infantile mortality was held in London, England, and at it a unanimous resolution was passed recognizing the importance of milk depots and urging legislation to enable sanitary authorities "to establish or support depots for the supply of pure or modified or sterilized milk and to defray any cost out of the monies available for public health purposes." In the last session of the British House of Commons, Hon. John Burns introduced a Bill granting this request, but action was deferred until next session.

DIFFERENCE IN DETAILS.

While they are all guided by the same underlying principles described herein in reference to Rochester and New York, they differ as to details. In Europe, they are supported chiefly by private philanthropy; in England, partially by private philanthropy, but mainly by municipal grants; in the United States, chiefly by private philanthropy, and, occasionally, as in Rochester, by municipal contribution. In some cities they are conducted during the entire year and in others only during the summer months. In many places in Europe and in some in England the milk is sterilized before being distributed; in others it is not boiled, but only pasteurized; while in still others clean raw milk is supplied. In this connection Dr. G. F. McCleary, formerly Medical Health Officer at Battersea, London, England, in his book "Infantile Mortality and Infants' Milk Depots," says "These methods (Rochester, U.S.A.) are far in advance of anything which has been done by the British municipalities, and it is much to be hoped they will be introduced in this country."

In all the work, however, there appears to have beeen a common recognition of the fact that milk in itself is only one factor, and that with it must go education in hygiene and sanitation. Equally as important as pure food has been the instruction in how to use it. Large cities in England have their "lady visitors" to follow the milk into the homes, to educate the mother and to improve the environment. In American cities the milk is distributed under the direction of trained nurses or doctors and to their advice and supervision as much as to the pure milk itself must be attributed the results.

SAVING INFANT LIVES IN ENGLAND AND THE UNITED STATES.

Individual depots cite individual triumphs. The death rate of infants fed at the Finsbury depot showed only 76.9 per thousand births, compared to a general rate of 148.6 in the same borough. Liverpool depots showed a rate of 76 per 1,000 as compared with a general rate of 151.

But it is as a factor in the splendid general reduction of the infantile mortality in England during the past six or eight years that we desire to consider it here. Up to 1900, the infantile mortality of England and Wales remained practically stationary or slightly on the increase. Since that time, according to official reports, there has been a gradual decrease. The following figures are taken from the statistics recently issued by the Local Government Board, and show the number of deaths for England and Wales under one year per thousand births in the periods named:

1873-1877	148	1898-1902	152
1891-1900	181	1907	118

It was found that cities showed an infantile mortality about one-third heavier than the rural districts; yet the reports of the Medical Health Officer for London for 1907 shows a rate of only 116 for that year. and gives the following comparative figures for leading English cities:

	1897-1906.	1907.
London	148	116
Liverpool	180	144
Manchester	182	146
Birmingham	182	147
Leeds	170	130
Sheffield	180	145
Bristol	137	100

HOW ROCHESTER SAVES INFANTS' LIVES.

In visiting Rochester, Syracuse and New York, your Commission made special enquiries as to the efforts to reduce infantile mortality.

Rochester stands out prominently on the pages of milk literature as being the home of Dr. George W. Goler, one of the leading students of the question on the continent and one of the most successful health officers in the protection of the lives of infants. Since the Goler system of infants' milk depots was established, the number of deaths of children under five years of age during the hot months of July and August has been practically cut in half. And that is why Dr. Goler has made his city famous among students of the milk question.

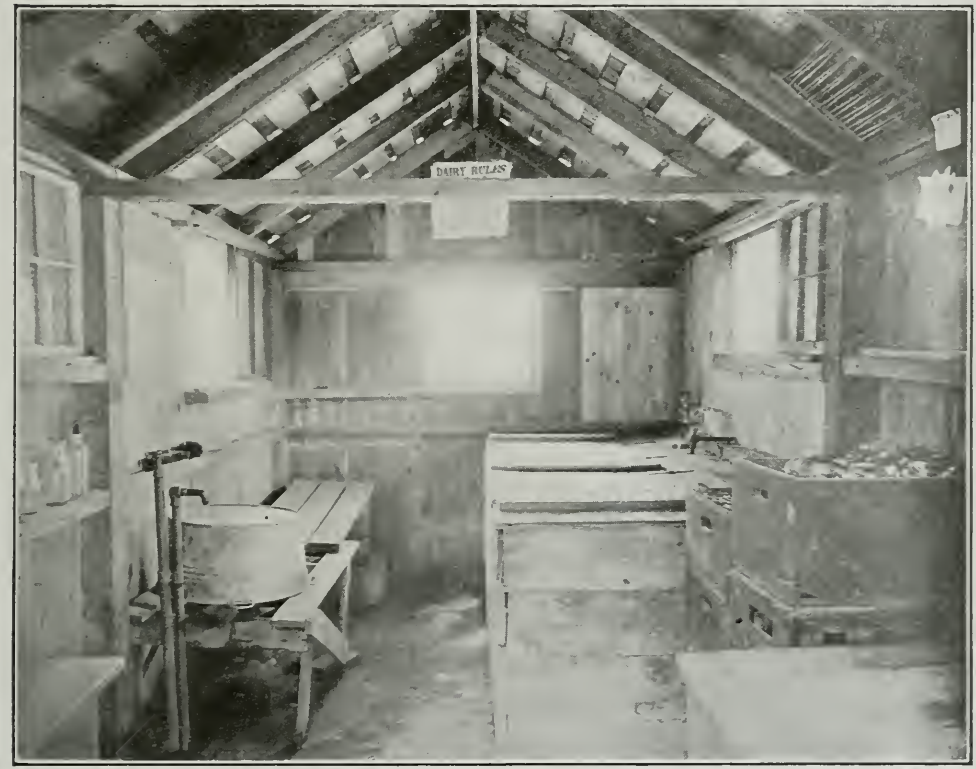
Interior Rochester's portable milk house at farm, showing trained nurse preparing pure modified milk for infants.

Your Commission found Dr. Goler a man of much zeal and energy, courteous both in explaining his plan and in showing it in operation. They learned that about twelve years ago Dr. Goler had been strongly impressed by the fact that more children under five years of age die during the months of July and August than in any other two months in the year, and that a large number of these die of intestinal troubles. Following up these observations, he concluded that bad milk was responsible for many of these deaths. Appalled by the economic waste as well as the sadness of this pitiful slaughter, he hit upon the idea of a special supply to meet the special conditions which prevailed during these few months.

Arrangements were made to purchase the milk from a certain number of cows on a nearby farm for the two months, to have it modified, chilled and bottled by a trained nurse and to have it placed in the hands of the city mothers. This was the plan inaugurated in 1897, carried on successfully ever since, and shown your Commission on their visit.

JUST AN ORDINARY FARM.

First the farm. It was just an ordinary farm and just an ordinary barn, located about six miles from the city. The cows had all been subject to the tuberculin test, but otherwise they were just ordinary cows. The barn was kept clean and screens were over the windows to keep out the flies. A small-top pail was used in milking, and for the infants' milk a thin linen strainer was placed over the opening, although the man milking the next cow used no such precaution.



Rochester's simple plant for sterilizing bottles at farm for infants' milk.

As each cow was milked, the milk was taken to the milk-house twenty-five yards away. This milk-house was the property of Rochester. It was a simple, portable structure of wood and screens, so constructed that it might easily be taken down at the conclusion of the summer's work and if necessary taken to another farm the next year. This milk-house was equipped with apparatus for bottling and chilling the milk, which was first modified to suit infants of different ages. It was in charge of a trained nurse, and less than ten minutes elapsed from the time the milk was drawn from the cow until it was bottled, sealed and placed in ice awaiting the time it would be taken to the city. Samples of this milk were taken each day for bacterial count, and during July, 1909, it ranged from 2,214 up to 19,904, averaging 5,887. It will be noted that there was no pasteurization or sterilization of this milk. For two years pasteurization was adopted but this was afterwards abolished, and Dr. Goler now describes this period as a "grave mistake." Figures are quoted in support of this assertion. From 1897 to 1899 the milk for infants was pasteurized and during July and August of those years 368 children under five died. Then pasteurization was stopped and in the next three years the deaths under five totalled only 223.

DISTRIBUTING IN THE CITY.

In the city there were five infants' milk depots from which this milk was distributed, each depot being located in a congested district, and being in charge of a trained nurse. To these depots the mothers are requested to bring their babies and receive advice as well as milk. The milk is supplied in half pint and pint bottles at a price which figures out eight cents a quart. But if the applicant presents a certificate from a doctor that she is unable to pay, the milk is supplied free. Printed instructions, which may be had in any one of five languages, are also distributed with a view to educating mothers on this vital subject. A record is kept of all the babies being supplied from each depot and an effort is made to follow up each case and note the progress being attained in keeping the infant healthy and well. Supplying clean, pure milk, modified to suit the tender, infantile digestive organs is obviously of inestimable value; but the great educational influence of the nurse and the literature should not be under-estimated.

THE FINANCIAL SIDE.

Of course all this costs money, but not so much as might at first be supposed. The aim has been to keep the expenditure around $1,000 a year, and last year it exceeded this by only $380. There is but little capital outlay involved. The farmer is paid for his milk by the quart according to the quantity used, and as many of his regular customers are away from the city during the hot months of July and August, he is generally glad to dispose of the surplus milk in this way. Sometimes the milk is taken from the same farm for two or three years in succession, but aside from the merits of the scheme in supplying safe milk for babies, Dr. Goler believes it has a distinct value in educating the farmer to a higher standard of sanitary cleanliness.

FIGURES TELL THE STORY.

Only during July and August has this special milk for infants been supplied and hence the cold, plain figures of the mortality returns furnish the test of its efficacy. The figures given below show the total deaths under five years of age for these two months for the nine years prior to the adoption of the scheme and the last nine years of its working and show that although the population has materially increased, the deaths in these classes have decreased by almost half.

	July deaths.		August deaths.	
	Under 1 yr.	1 to 5 yrs.	Under 1 yr.	1 to 5 yrs.
1888	90	28	118	25
1889	133	18	83	24
1890	88	18	94	18
1891	81	15	93	17
1892	101	26	104	34
1893	99	16	85	19
1894	82	12	72	29
1895	92	16	56	11
1896	108	18	59	17
	874	167 874	764	194 764
Total July deaths		1,041	Total August deaths..	958

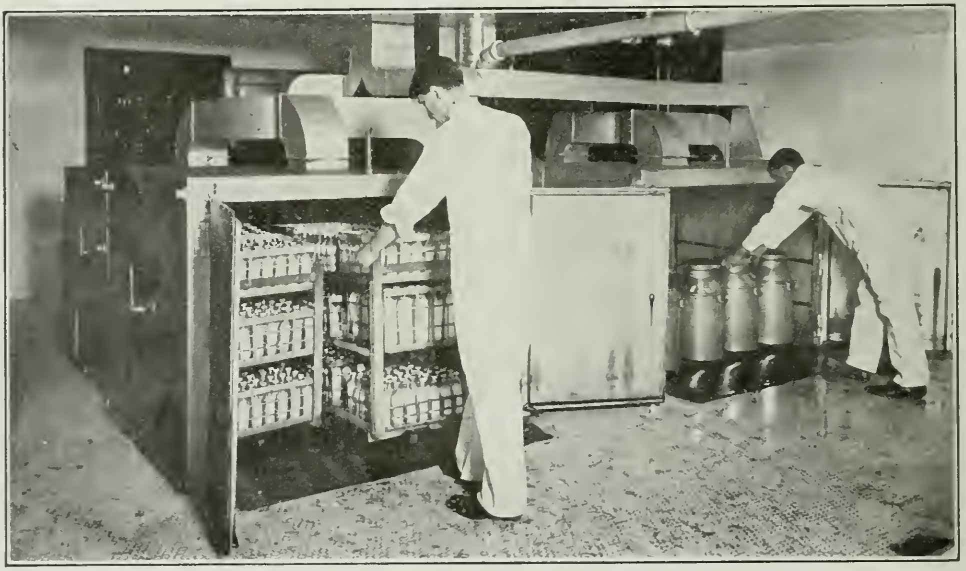
	July deaths.		August deaths.	
	Under 1 yr.	1 to 5 yrs.	Under 1 yr.	1 to 5 yrs.
1900	50	16	54	14
1901	37	12	38	8
1902	26	5	43	20
1903	32	16	34	18
1904	15	11	43	6
1905	53	10	60	13
1906	59	7	70	7
1907	29	23	71	17
1908	55	19	52	16
	356	119 356	465	119 465
Total July deaths		475	Total August deaths....	584

Entire credit is not claimed for the milk alone. To the advance in medical science and sanitary and hygienic education is attributed a share of the credit. As far as the total annual death rate is concerned, the effect is also splendidly noticeable. Before the adoption of the plan, the rate ranged from 27 to 37 per 1000 population; whereas since, it has ranged from 17 to 22. In 1908 there were 2807 deaths under five years of age, being 19.7 per 1000 in a population of 200,000. Dr. Goler has prepared a chart to show that the death rate goes up or down as the bacteria count in milk goes up or down.

EDUCATIONAL CAMPAIGN IN SYRACUSE.

With the exception of a recently inaugurated educational campaign, no special attention appears to have been paid to the question of infantile mortality in

Syracuse and the rate is somewhat alarmingly high. During the year 1908 there were 542 deaths under five years of age. Taking into consideration the fact that the population of Syracuse is 124,000, this number does not compare well with Rochester, where there were only 551 deaths in 1908 to a population of 200,000. In other words, the number in Rochester under five made up only 27 per cent. of all deaths, whereas the number in Rochester under five made up only 19.7 per cent. of the total. With a view to ascertaining the cause of an infantile mortality rate which the Medical Health Officer describes as "appalling," a rigid oversight is being kept on all infant deaths. A record is kept of all deaths under one year under the following heads: Name and address of child; milk or condensed milk used; name of milkman or brand of condensed milk; whether breast fed or given a prepared food; if artificially fed, name of food. This information is especially useful in following up any outbreak of contagious diseases. But in addition to this the department has prepared a little leaflet containing simple yet helpful advice to mothers on the care of the baby, especially with reference to his milk. Two thousand of these were distributed in 1908 indicating that they were being appreciated.



Interior Nathan Straus Pasteurized Milk Laboratory. A similar system has been installed in the Hospital for Sick Children, Toronto. At the left milk in nursing bottles being placed in the pasteurizing ovens; at the right milk in cans being put in oven to be pasteurized for serving by the glass at the summer stations in the parks.

NATHAN STRAUS' NOBLE WORK IN NEW YORK.

Eighteen years ago Nathan Straus, a wealthy New York merchant, was living in the Adirondacks. He kept a cow to supply milk for family use. Although it was an apparently healthy cow, it was found dead one morning and further examination revealed the fact that tuberculosis was the cause. It was a startling fact to Mr. Straus and he gave the moral a wide and unselfish application. If he, a man of means, was thus exposing his family to the dangers of disease from contaminated milk, what of the thousands of poor children of the great city whose lives were daily menaced in his way? His interest in the milk supply was aroused. It appealed to his philanthropic instincts and the work has grown so that now, in addition to his main laboratory, he has six depots distributing last year 4,167,675 bottles and 1,411,017 glasses of pasteurized milk.

PERFECT PASTEURIZATION.

In fact in visiting the Straus Laboratories in New York your Commission doubtless visited what might be described as the chief centre of pasteurization influence on the continent. Although Mr. Straus himself was out of the city, every courtesy was afforded by Dr. Arthur Randolph Green, Medical Director, and Mr. William Wirt Mills. It was quite evident that the system of pasteurization as carried on at this laboratory was as nearly perfect as it is possible for science and philanthropy to achieve. It was quite evident also that pasteurization meant something different when it bore the name of Straus than when it adorned the label of the average milkman as an advertising catchword. The rooms were large and light and spotlessly clean and the pasteurization plant of the most up-to-date standard, but aside from this there were two outstanding features which should be carefully noted. In the first place the milk used is clean milk, certified milk in fact, purchased at eight cents a quart on the farm. This precaution is taken

Nathan Straus milk depot, dispensing modified and pasteurized milk in nursing bottles.

by Mr. Straus to avoid any suggestion of "pasteurizing dirt." In the second place the milk is bottled and sealed before it is pasteurized. This is done to prevent any possibility of contamination between the pasteurizing and bottling process, and as far as the observation or reading of the Commission goes, this is one of the few where such a precaution is taken. The milk is heated in the bottles for twenty minutes at a temperature of 158 degrees F. As for the process known as "continuous pasteurization," the Straus authorities not only do not adopt it, but regard it as absolutely farcical. Proper pasteurization, however, they maintain, kills all pathogenic germs without affecting either the nutritive or digestive qualities of the food.

DEFICIT ABOUT $100,000 ANNUALLY.

But pasteurization and its subsequent prompt and complete cooling is not the sole work of the laboratory. Before being bottled at all the milk which is intended for infant feeding is modified in four different formulae prepared by medical men who are experts in the treatment of infantile diseases. This modified milk is put up in special three and six ounce bottles and sent out to the seven depots located in the poorer sections of the city. Each depot is in charge of a trained nurse and a doctor is available for consultation each day. Thus each infant receives personal, individual attention in addition to pure, pasteurized milk. Moreover, the milk is sold in the parks by the glass at a penny a glass and the scores of thirsty men and nursing mothers who surround the booths attest the fact that it is a very popular beverage. The milk is sold at eight cents a quart, actually what it costs on the farm, and so the cost of the expensive pasteurization plant, nurses, doctors and distribution machinery must be borne by someone. It is borne by Nathan Straus and is said to cost upwards of $100,000 a year. This is Mr. Straus' philanthropy. It is perhaps not fair to describe this deficit as a "loss." Its returns are in the benefits conferred on humanity, in the lives it saves to brighten homes where the struggle for daily bread leaves little time for joy.

SAVING THE BABIES AND HOW IT IS DONE.

During June, July and August in 1892, 6,612 children under five years of age, died in New York. In 1893, the first year of the Straus depots, the number was 5,892. Ever since that time there has been a general decrease, with the exception of a year or two when there were slight increases. In fact the extent of the decrease would seem to synchronize with the extent to which Straus and similar agencies broadened out until 1909, in spite of increased population, the number was only 4,104. Similarly in 1893 deaths under one constituted 25.30 per cent. of the total, while in 1907 they were only 18.71 per cent. of the total. This is a distinct achievement—how has it been brought about? Partizans of pasteurization affirm that it is the direct result of pasteurization under the Straus system. No one would desire for a moment to minimize the credit due a noble philanthrophy, but if this is the cause, or a material contributory cause, how much credit is due to the fact that the milk was clean and pure before it was pasteurized in accord with the methods of the most approved science, how much to the influence of the doctors and nurses, how much to the educational effect of the personal advice and literature in all languages? Then, partizans of the Health Department attribute it to the excellent system of inspection and supervision inaugurated by Dr. Darlington and the general campaign of education carried on under the direction of the Department. But in addition to these agencies, milk depots are maintained by the New York Milk Committee, the Good Samaritan, the Diet Kitchen Association, and the Children's Aid Society, and to prevent overlapping they are all under the direction of the Health Department. There is also a small amount of certified milk. A circular prepared by the "Conference on the Summer Care of Babies," representing the Departments of Health and Education, fifty hospitals, dispensaries, settlements and other agencies is given a wide circulation affording the mothers advice as to what to do in case of illness and giving the addresses of milk depots where pure milk may be obtained. With all these agencies at work with the same lofty purpose, a reasonable view would seem to be that credit is due the combined effort rather than any isolated factor alone. But the proud fact remains that the lives of hundreds of infants are saved each year, and if, in spite of the handicap of the congestion of an immense population human effort can achieve such splendid results, it should be an inspiration to those blessed in far greater abundance with those glorious, God-given aids to health—fresh air and sunshine.

RATES IN AMERICAN CITIES.

For purposes of comparison the rates in American cities are given from figures given in the official report of the respective health officers:

Rochester	86	New York	144
Detroit	136	Chicago	156

These figures represent the number of deaths under one year of age to every thousand births.

INFANTS' MILK DEPOTS STARTED IN ONTARIO.

In Ontario we found no general attention has been paid to the question of infantile mortality, but we are glad to record that a start has been made with infants' milk depots in Toronto and Hamilton.

In the summer of 1908, the first organized efforts were put forward to furnish a safe milk supply for infants in Toronto. Following up an agitation he had been making in one of his publications, and acting on the advice of friends. Mr. James Acton organized the Pure Milk League. Mr. Acton himself became president, R. H. McBride, Treasurer, and C. D. Daniel, Secretary. They wrote to a few public-spirited citizens and had no difficulty in securing sufficient money to carry on the work. They began in a modest way. Two distributing depots were opened, one on Edward street to serve "the Ward," and the other at the Fred Victor Mission to serve the more easterly districts. "Certified Milk" was secured from the Price Farm at Erindale, costing eleven cents per quart delivered in the city in half pint bottles. These were retailed at two cents per half pint—the same price as ordinary uncertain milk—to those who could afford to pay, while to others it was distributed free. Lectures were delivered to mothers at the Fred Victor Mission by Dr. Helen McMurchy, on baby hygiene, and pamphlets on the care of infants were distributed. Two Deaconesses assisted in the work of distributing and also visited the homes. So much appreciated were these efforts by the mothers that the depots had to be kept open until September 26th. Over 150 babies were served, and over 15,000 half pint bottles of milk were distributed. The net cost amounted to only about $500, and was more than met by private subscription.

In the summer of 1909, the work was extended and two more stations were opened. Milk was secured from the Manor farm and was certified by the Academy of Medicine. Although Mr. Acton and his associates continued to direct the work, a grant of $500 was made by the city towards its support. Altogether about 20,878 half-pint bottles of milk were distributed this summer, all but 3,755 being paid for by the consumer at the rate of eight cents a quart; the total cost for the summer was $760.31, and the League had a balance on hand at the end of the season of $292.48. It will therefore be seen that there is not only scope for extending the work, but the means to do so.

PASTEURIZATION PLANT INSTALLED.

Such work, carried on as it is by public-spirited citizens anxious only to lessen suffering and improve their city, is to be heartily commended, and the fact that a new, active and aggressive factor is about to join in this noble work on behalf of Toronto infants is to be heartily welcomed. Mr. J. Ross Robertson has added to the splendid equipment of the Hospital for Sick Children a modern plant for scientifically pasteurizing milk. On a visit to the Hospital we found it to be modelled exactly on the lines adopted by Nathan Straus in the great work he has done in saving infant life in New York, more fully described in another page. The raw milk, while not secured from a "certified" farm, is secured from a "model" farm. On arriving at the Hospital, it is modified and pasteurized in bottles by being heated to 158 degrees for twenty minutes. The plant was installed in October and it is the intention not only to supply the Hospital with milk pasteurized in accordance with the most scientific regulations, but also to supply infants outside the Hospital as well. It is being used for 1,200 in-patients and nearly 12,000 patients each year in the outdoor department. It is, of course, delivered to the children in the wards, but it is called for by those outside who desire it. Physicians prescribe the pasteurized milk and also use it in the modified milk mixtures, formulæ of which will be found in the appendix to this Report. In addition, a start has been made in supplying outside charities by supplying twenty-five or thirty bottles a day to the Evangelia House in the east end of the city. This work will be enlarged and supplies furnished the Infants' Home and other charities and dispensaries where infants are cared for. The pasteurizing plant at the Hospital is sufficiently large to enable them to do this work for very little extra expense, but is not sufficiently large to permit any attempt to deliver milk to the public at large.

HAMILTON ALSO MAKES A START.

During the past summer an effort has been made to secure a special supply of safe milk for infants at Hamilton. Dr. James Roberts, Health Officer; Frank Quinn and William Farrar, representing the Board of Health, and Dr. Perry, representing the Milk Commission of the Hamilton Medical Society, visited Rochester and examined the Rochester system of infants' milk depots. Returning, the plan was urged upon the City Council, but they did not see their way to adopt it, and hence it was undertaken by the Medical Milk Commission in co-operation with the Victorian Order of Nurses, and the necessary funds were secured from private sources. Through the courtesy of Dr. Roberts and members of the Board, we visited the farm during the month of August. Following the Rochester example, the milk was secured from an ordinary barn which had little to distinguish it except its cleanliness and the care exercised in the handling of the milk. The interior of the stable was whitewashed and the floors kept clean, but the cows were not kept in a separate building from the horses, nor is there a partition between them. In the special milk house, two nurses attended to the cooling, modifying and bottling the milk before it was sent to the distributing depot in the city. At the close of the summer a statement was issued by the Hamilton Milk Commission giving the record of the work during August and September. It stated that when the milk was first offered in July only 31 feedings were taken daily, but when the supply was discontinued, 850 feedings were being distributed daily, supplying 338 infants. Of these only 22 died, regarded as very few. During August and September the infantile mortality from cholera infantum aggregated 59 compared to 90 for the same two months last year, a decrease of 30 per cent. The total number of deaths from all causes was 91 compared with 126 in the same period last year.

FIGURES FOR ONTARIO.

In contrast to British and American cities given above, we beg to submit the following figures for Ontario cities for the latest year available, 1908. As the completed figures for the Province will not be ready for publication for some months, they are taken from the official records in the office of the Deputy Registrar General, through the courtesy of Dr. Chas. A. Hodgetts.

City.	Births (still births excluded).	Deaths under 1 yr. (s. b. excluded)	Deaths under 1 yr. per 1,000 births.	Percentage under 1 to total number of deaths.
Ottawa	2,019	438	216.94	30.23
Fort William	434	88	202.76	32.71
Port Arthur	369	69	186.99	31.22
Niagara Falls	203	36	177.34	24.49
London	1,001	172	171.83	23.99
Belleville	242	41	169.42	22.91
Toronto	7,805	1,215	155.67	26.74
Guelph	303	46	151.82	23.83
Hamilton	1,821	275	151.02	26.42
St. Thomas	325	48	147.69	20.43
Chatham	228	33	144 74	18.44
Kingston	380	55	144.74	15 99
Peterborough	453	61	134.01	22.68
Windsor	384	50	130.21	21.74
Brantford	588	73	124.15	23.78
Stratford	301	36	119 60	21.05
St. Catharines	280	33	117.86	18.64
Woodstock	201	16	79.60	13 01
			average 160.62	25.80

In making comparisons much depends of course on the accuracy with which returns are made in the various places compared, but all the figures are taken from official reports and constitute the only basis on which to work. It is admitted that returns now being made in the cities of Ontario at least are practically complete. The fact that this can only be said of very recent years renders it impossible to make comparison with other years with any degree of reliability. In addition, in the case of the smaller cities it will be noticed that the difference of very few deaths would make considerable difference in the ratio per thousand, which is the usual basis of comparison.

MORE IN FIRST YEAR THAN FOLLOWING FORTY.

These figures, it will be noted, exclude still-births, which would have materially increased the percentage, but which cannot fairly be included in considering preventive methods. They show that out of every thousand children born alive in Ontario cities, one hundred and sixty die in the first year, or, in other words, more die in the first year than in the succeeding forty. Because of this enormous preponderance of deaths under one, over deaths in any other year of life, consideration in detail has herein been confined to that class alone, but at the same time it should not be overlooked that the same methods which in other places have reduced the mortality under one have reduced the mortality between one and five. Altogether in Ontario cities the number of deaths under five years of age aggregate 3,527 and constitutes 32.68 per cent., almost one-third of the entire number of deaths from all ages and all causes. It necessarily follows, however, that improvements which will conduce to greater healthfulness in the first year of life will conduce to greater healthfulness in the years that follow.

CONSIDERABLE CAN BE PREVENTED.

To merely state that more die in the first year of life than in the following forty, is, unfortunately, not new. What appears to be sadly new in this Province is that a considerable portion of this awful toll can be prevented. The cold fact that out of every thousand children born alive, sixteen more die in Ontario cities than in New York, four more die than in Chicago, and forty-four more die than in London, in spite of the slums and congestion reputed to these great cities, should touch the sympathies and arouse the consciences of Ontario cities and Ontario citizens. It is true that conditions differ, but in general it may be said that the two main influences whch affect all life adversely or favorably are, (1) heredity and (2) environment. This second heading includes such influences as food and drink, including tea, coffee, alcohol and narcotic drugs; air, sunshine, climate (heat and cold), clothing, occupations, healthful or harmful exercise, rest and recreation, cleanliness, including bacteria and the cause of contagious and infectious diseases. Of course infants born with a bad heredity or "poor constitution" have little chance of surviving in a bad environment and especially with bad or unwholesome food. It might be urged that the evenness and comparative moderation of climate contribute somewhat to the low rate in England, but, on the other hand, the congestion, slums and poverty frequently attributed to English cities in horrifying pictures, must be reckoned with as an influencing factor. A closer analogy to Ontario cities from the standpoint of size and climate is found in Rochester, with a population of 200,000 and an infantile mortality of 86 per thousand, almost half the average for Ontario cities. The great fact, however, which stands out as a beacon light of hope alike from the experience of British and American cities is that the rate has been very materially reduced. Where the problem has been honestly faced and grappled with, success has invariably followed, although there are doubtless many American cities which would not compare favorably even with Ontario. Through infants' milk depots pure food has been provided, and, equally important, education in feeding and sanitation has been afforded.

MUNICIPALITIES SHOULD ACT.

In making enquiries into milk conditions generally, these facts in reference to Ontario's infant mortality, illumined by comparisons from other countries, have so impressed your Commission that we consider it our duty to call your attention to the matter and respectfully suggest that the attention of the various municipalities be directed to a state of affairs which cannot be regarded as other than serious. We recognize that it is a question which must be taken up and dealt with by the municipalities and must be grappled with at close range. We are also convinced that it must be dealt with aside from the general milk supply, for education is equally as important as safe milk and proper feeding. This has been the experience of other cities like New York and Rochester, and in the Copenhagen regulations it will be noticed a sharp distinction is drawn between the general and the infants' supply. If further proof were needed it is found in the fact that Ottawa, with perhaps the best general milk supply of any Ontario city, has the highest infantile mortality. In the case of Ottawa it must of course be remembered that there is a population of dual nationalities. Montreal, a neighbouring city under somewhat similar racial conditions, has an infantile mortality of 270 per thousand, compared with 216 in Ottawa.

With the exception of the very recent steps already noted in Toronto and Hamilton, we regret to find that practically no attention has been paid to the question in Ontario cities. The figures themselves, the records which tell the story, are treated as a mere formality. Under the Act of 1896, they are received by the Division Registrar, who is usually the City Clerk, and at stated intervals they are forwarded to the office of the Deputy Registrar General at the Parliament Buildings for the annual report, which cannot be issued until all the returns are in, which generally takes considerably over a year, sometimes two. Hence they frequently do not come to the attention of the local health authorities until it is too late for them to be of more than academic value. It will therefore doubtless be a matter of surprise as well as pain to the majority of people, as it was to your Commission, to find that the records of Ontario do not compare favourably with other places.

ACT ACCORDING TO LOCAL CONDITIONS.

If this heavy infantile mortality is worth diminishing, and it is; if this heavy infantile mortality can be diminished, and all experience shows it can; then it would first seem incumbent on local health authorities to study local conditions. In the doing of this some changes may be found necessary in the system of statistics to make their usefulness more what it should be in an up-to-date city. Birth and death returns should be carefully watched, increases and decreases noted, and causes ascertained as far as medically and humanly possible. In most cases it will doubtless be found that the heaviest toll takes place in the hot summer months and that the difference between a reasonably normal and a shockingly abnormal infantile mortality is caused in July and August by diarrhoeal and kindred intestinal diseases which are caused by improper feeding when milk constitutes almost the only food. If this is found to be the case, then provision for a pure milk supply is imperative. Whether that provision is voluntarily offered by philanthropy, as in the case of the Pure Milk League and J. Ross Robertson in Toronto, the Hamilton Milk Commission and Nathan Straus in New York, or whether it is undertaken or aided by the municipality, is a matter of detail. It seems clear that the responsibility should rest with the municipal authorities for the safeguarding of the lives of its population. Especially in the smaller cities it is a matter of only a few hundred dollars and the results more than justify the expenditure. Financial considerations should not be placed in the balance against human life, even though it be infant life. Surely there can be no nobler opportunity for philanthropic or civic endeavor.

TWENTY-FIVE PER CENT. MEANS OVER 2000.

While consideration in the present instance has been confined to cities, where infantile mortality is higher than in suburban sections because conditions of life as a rule are not so healthful, it is to be feared that the rate outside of cities is also much too high. In 1908 there were 8662 deaths in the Province under one year, including still-births. It will readily be seen that in seeking to diminish these, organized effort can be best concentrated in the larger centres of population. It is quite conceivable, however, that arousing intelligent interest and action on this question in the cities must redound to a degree to the advantage of towns and rural communities as well. A higher knowledge and a broader sympathy with the subject would result in a general uplift and better living. It should diminish grief and suffering and reach out for a betterment of the homes of the Province, which, in the final analysis, are the objective of all endeavour and of all governmental effort. To bring about a reduction of twenty-five per cent. seems not an extravagant hope and such a reduction would mean a decrease of over two thousand infant deaths each year. Especially in this Province of resources, where a premium is placed on population, to save two thousand lives a year is an ambition splendidly worth while.

CHAPTER IX.

Being Conclusions and Recommendations laying down Clean Milk, Promptly Chilled, from Healthy Herds as the Ideal for the Province and Urging Co-operation in Working for its Achievement.

In the foregoing pages we have endeavoured to set forth the importance of the milk question from the financial standpoint and from the more important viewpoint of public health. We have recorded in concise form the nature and working of present provincial and municipal legislation on the subject, and have sought to give some idea of conditions which prevail under such legislation. Side by side with Ontario legislation and experience, we have placed something of the legislation and experience in cities and states of other countries. As an important phase of the general problem, we have presented the relationship of impure milk to infantile mortality and have brought to the attention of Ontario the story of the splendid efforts which have reduced this mortality in other places, with a view to showing the need for similar efforts in this Province. From every side we have sought and welcomed, and to some extent set forth, opinions on all phases of this many-sided question. Having regard therefore to all these facts, we beg to respectfully submit the following conclusions and recommendations:

> That the present laws governing the production, care and distribution of milk for human consumption are cumbersome and ineffective and should be consolidated and amplified.
>
> That the general principles governing the production, care and distribution of milk for human consumption should be fixed by the Legislature.
>
> That inasmuch as the administration of such laws is and must remain in the hands of the municipalities, such amplification should be in the direction of giving municipal authorities larger powers of licensing and supervision.
>
> That a general definition of adulteration should be adopted, but that municipalities should be given power to fix a standard of food value, said standard to be not less than three per cent. butter fat and twelve per cent. solids.
>
> That in the interests of public health and common decency more attention should be paid to the cleanliness of stables and healthfulness of cattle, and to this end the consuming municipalities should be empowered to make inspections at the sources of supply and be urged to appoint veterinarians to act in conjunction with the medical health officer.
>
> That with a view to lessening the alarming infantile mortality in the Province, municipalities should be empowered to establish and maintain or assist in the establishment and maintenance of infants' milk supply depots.
>
> That firm measures should be taken to combat the ravages of tuberculosis, which constitutes a serious menace both to the bovine and human species; and that as an initial step, along with an educational campaign, all cows suffering from tuberculosis of the udder or showing clinical or phy-

sical evidences of the disease, or whose milk is shown by bacteriological or microscopical examination to contain tubercle bacilli, should be promptly removed from dairy herds.

That pasteurization is not a provincial ideal, but may be a municipal expedient if carried out in accordance with proper scientific regulations.

That in cities of over 50,000 population no milk should be sold in shops except in bottles or other sealed packages.

That cans, bottles or other utensils used in handling milk should be used for no other purpose and should be promptly rinsed by the consumer on being emptied.

That producer, distributor and consumer should alike be educated to the importance of cleanliness in handling milk and to the value of prompt chilling and keeping in a cold place.

Before giving in detail reasons in support of the points and principles involved in the recommendations above outlined, we beg to say that we believe them to constitute a simple, practical and workable solution of the question. Realizing that all reforms are matters of evolution, we have avoided the path of the extremist. We have refrained from the not uncommon device of painting a dark and horrifying picture in order to shock public opinion to interest and action. The subject we conceive to be rather one for hearty co-operation than hysterics. Accordingly, we have approached it with a clearness of vision unbefogged by fads, an openness of mind untainted by prejudices, a singleness of purpose concerned only for the safety of our people and the ultimate credit of our Province. In the working out of the problem many important interests are vitally concerned. We have sought not to place any one interest on a vantage ground from which to war on any other interest, but rather to arrive at a common basis on which all interests —dairyman and health authority, sanitarian and bacteriologist, distributor and retailer, producer and consumer—may unite for the advantage of all. A higher standard of cleanliness and care must be the ideal of future work and legislation, and co-operation is the only means by which it can be attained.

SHOULD BE ONE PLAIN PROVINCIAL LAW.

In affirming that the present law with respect to milk for human consumption is cumbersome and ineffective, attention is directed to the fact that the various clauses dealing with the matter are scattered over several different statutes, whereas the law governing milk for manufacturing purposes is comprised in one clear and concise Act. Furthermore, it is ineffective because it is difficult, if not impossible, to enforce either inspection or the clause against adulteration. While the health officer may make inspections at the source of supply, he cannot enforce improvements without the concurrence of the health officer of the township in which the dairyman is located. As the township health officer, generally speaking, has no special interest in the matter and is not paid for the extra demands that would be made on his time, the working of this law is farcical. Although, as seen in preceding pages, many municipalities have inspection clauses in their by-laws, the enforcement, with rare exceptions has been confined to vendors within the city limits or has been extended to the farm in a purely perfunctory manner. Doubtless owing largely to the confusing multiplicity of clauses, no attempt has been made to take advantage of the Act of 1908, enabling the Minister of Agriculture to appoint an inspector to visit the farms supplying cities. No further proof is needed that this phase of the law as it stands at present is cumbersome and ineffective.

As to adulteration, a similar result is seen from the fact that very few convictions have been obtained under the clause which makes it essential to prove that the milk was "knowingly and fraudulently adulterated."

Being therefore both cumbersome and ineffective, we are forced to the opinion that, instead of tampering with and amending, the present clauses should be wiped out and in their place substituted one plain and comprehensive Act which would cover all relevant points. Such an Act is on the statute books of many States of the Union across the line, and such an Act was passed by the Legislature of Victoria Colony, Australia, in 1906, and was given the gold medal at the International Food Congress at Paris as being the most complete enactment on the subject. Such a law, in our judgment, should embody a general provincial policy, but should also clearly define the powers of the municipalities, in whose hands the administration must largely rest as in the past.

ENACT MINIMUM STANDARD FOOD VALUE.

In the formulating of such a law, we believe municipalities should be given authority to fix the standard of butter fat and total solids of milk to be sold within such municipality, but that a provincial definition of adulteration should be adopted as follows:

Milk containing more than eighty-eight per centum of water or fluids;

Milk containing less than twelve per centum of milk solids;

Milk containing less than three per centum of fats;

Milk drawn from animals within fifteen days before or five days after parturition;

Milk drawn from animals fed on distillery waste, or any substance in a state of fermentation or putrefaction, or on any unwholesome food;

Milk drawn from cows kept in a crowded or unhealthy condition;

Milk from which any part of the cream has been removed;

Milk which has been diluted with water or any other fluid, or to which has been been added, or into which has been introduced, any foreign substance whatever;

Milk, the temperature of which is higher than fifty-five degrees Fahrenheit.

This follows the lines adopted by New York and other States of the neighbouring Republic. It will be noted that it includes a minimum standard of three per cent. butter fat and twelve per cent. total solids. Natural milk as drawn from the cow invariably averages around 3.5 per cent. butter fat and 12.5 total solids. J. A. Ruddick, Dairy Commissioner at Ottawa, in his latest report, submits the following table showing the average production of 1.373 cows for full period of lactation in four provinces:

Province	No of cows.	Average yield of milk.	Average test.	Average yield of fat.
Ontario	541	5,832	3,5	205.7
Quebec	401	4,328	4 2	180 4
British Columbia	417	5,317	4.	210.1
Prince Edward Island	14	4,932	3.6	176.1
	1,373			
Average for four provinces		5,102	3.8	193.1

Out of 925 herds tested by G. G. Publow, Chief Dairy Instructor for Eastern Ontario, only five went below three per cent. In some localities it is easier to get a higher standard than in others, and hence it is thought well to give the municipalities some discrimination. In our enquiries in the cities and towns of Ontario, we have found that the food quality of the milk has been very satisfactory, with the exception of Toronto, where forty per cent. of the samples have tested below three per cent., which fact must be largely attributed to adulteration. It will be seen, therefore, that a minimum standard offers no hardship to the honest dairyman, and it is intended only to offer hardship to the dishonest dairyman. It offers the only possible power by which Toronto or any other city may protect itself against wholesale and repeated adulteration. In the case of creameries and cheese factories, a standard is not so necessary, because the milk is delivered direct from the farm to the factory. If the milk is found to be lower than is regarded as natural, a man is sent by the factory direct to the farm to make tests of the milk immediately after it is drawn from the cows. In this way over one hundred prosecutions have been made during the past summer with good results. But it would be impossible to carry out this plan in the case of a large city, for the simple reason that the milk is handled by three or four different persons between cow and consumer. The only effective plan, we are convinced, is to adopt a minimum standard and hold the vendor responsible for the article he sells, just as the vendor is responsible for any other class of goods. It would then be the duty of the retailer to see that he got unadulterated milk from the farmer and the consumer to see that he got unadulterated milk from the retailer. Against a minimum standard, it is urged that as natural milk averages about 3.5, a standard of 3.0 would be a temptation to dealers to quietly extract the extra percentage and still keep within the law. To this it is only necessary to point out that, under the clause suggested, such a course would constitute adulteration just as certainly with a standard as without it. The standard is in no sense a handicap and is in every sense a safeguard.

MORE SYSTEMATIC INSPECTION NEEDED.

While the question of the richness of the milk has been the most prominent one in the past with the consumer, it is not necessarily the most important. It is even more important that milk should be pure and wholesome and should be produced and handled in a clean and sanitary way. To secure this, we believe every city and town should have a system of thorough inspection, carefully enforced. For very obvious reasons, it is desirable that such inspector should be a veterinarian, and, as an indication of the growing importance of this work, it may be noted that a special course in dairy inspection has recently been included in the curriculum of the Ontario Veterinary College. Wherever possible, it is strongly advisable that a man should be employed who could give all his time to the work, and therefore be free from outside influence, but it is recognized that this is not possible in the case of the smaller cities and towns. For their benefit, we beg to say that the practice of employing a veterinary to do the work in a portion of his time has been followed in some parts of the Province by good results, despite its disadvantages.

In support of the principle of inspection, little need be said. Its wisdom is admitted in legislation as it is proven in experience. Inspection has long been recognized as one of the primary essentials in effective government. Hence, we have inspection of schools and of legal offices, of factories and bakeshops. It is being developed more and more by modern thought each year in the protection of property and the safeguarding of human life, and in the larger cities it is now impossible to even run an elevator without having it frequently passed by an inspector. As regards milk, the principle of inspection of vendors and farms is now recognized in the statutes of Ontario, as indeed it is recognized in a greater or lesser degree in the statutes of almost every other civilized country. But in Ontario, at least, it has been for the most part only perfunctorily enforced as regards vendors, and scarcely at all as regards the sources of supply. Yet is it not as important to supervise the source of the supply of the milk we drink as to supervise the source of the supply of the bread we eat? Are not the invisible, insidious germs which milk may convey as great a menace to the health of thousands of consumers as the whirring, crushing machinery to the hundreds of employees of the factory? Inspection cannot do everything, but it has been proven that inspection does do much.

CIVIC CONTROL OF MILK SUPPLY IS BEST PLAN.

Admitting the principle, therefore, what of the plan? Inspection to be of value must be thorough, must be systematic, must be backed by authority. How then can it be most effectively accomplished? We have no hesitation in saying that it can be best accomplished by each municipality looking after its own supply, and inasmuch as the responsibility is already on the municipality to protect its citizens, we believe they should be given authority commensurate with their responsibility. We would strongly recommend that every city and town be given the utmost freedom to make inspections at every stage from the cow to the consumer, and should have power to keep out of their municipality any milk believed to be contaminated. At present, consuming municipalities have partial inspectoral powers, but their hands are tied; we would urge that the tether be cut, and we are confident such freedom would not lead to friction any more than the freedom of the average man incites him to quarrel. Local autonomy was the argument at the basis of the "crazy quilt patch work" amendment of 1900, by which the officers of both municipalities concerned must go together and concur. The results of that policy should be sufficient condemnation. Furthermore, it is absurd to expect a township, for instance, to go to the trouble and expense of maintaining a system of inspection for the benefit of a neighbouring city. We respectfully submit that it is not a question of municipal rights; it is a question of buyer and seller. If it were possible for the individual consumer of the city to go to the producer in the country and say "if certain simple regulations are adopted, I shall purchase from you," no possible objection could be raised. That would merely be a matter of agreement between producer and consumer, between seller and buyer. Moreover, it would be merely what is done every day here in Ontario by the big dairy companies of the larger cities and by our condensing factories, who send inspectors regularly to the farms. It is not possible for the individual consumer to take these precautions to protect himself, and so in our system of governmental organization the responsibility of protecting the individual in such matters has been placed on the body corporate, which in turn has appointed a health officer for this purpose. This recommendation therefore resolves itself merely into giving the municipalities machinery to adequately discharge the responsibility imposed on them. That they are anxious to do the work is shown by the practical unanimity of view expressed by health officers in preceding pages.

PRECEDENTS IN ONTARIO AS WELL AS ELSEWHERE.

But sound and unassailable as is this proposition in theory, it is equally sound and unassailable in practice and in precedent. Reference has already been made to the fact that a few municipalities, notably Ottawa and London, have already adopted such a system of inspection with the consent of the dairymen, and it is not necessary to go farther for an illustration of the splendid results to be achieved. We have shown also that the principle of civic control of the milk supply is exercised across the line not only by Rochester, Syracuse, New York, Chicago and Detroit, which we visited, but also by practically every other city in the United States. The same principle is cleverly embodied in the model Dairy Bill of Victoria Colony, previously mentioned. In this Bill the city and all the farms supplying milk thereto are constituted a "milk area," and an officer is given jurisdiction in that milk area. The following clause will illustrate:

> "The municipal district of Ballarat and Ballarat East together with the whole of the premises of each and every dairy farm or dairy outside such municipal districts wherever situated from which milk is sold within any of such municipal districts shall constitute a milk area and be called the Ballarat Milk Area."

But fortunately we need look no farther than the Ontario Statutes for precedents in this matter. Although it has never been put into actual practice, "The Milk, Butter and Cheese Act of 1908" gives towns and cities the right to appoint inspectors with the approval of the Minister of Agriculture, as the following quotation from clauses 13 and 14 will show:

> "Upon the recommendation of the Minister of Agriculture, the Lieutenant-Governor-in-Council may appoint one or more persons as inspectors for the enforcing of the provisions of this Act, who shall be known as Dairy Inspectors. The Lieutenant-Governor-in-Council may determine the remuneration to be paid to such inspectors. All dairy inspectors appointed under this Act shall have free access and admission to all cheese factories and creameries and premises upon which milk or cream is offered for sale located within the Province and to all lands adjoining the same, and to the premises of all persons supplying milk or cream to any cheese factory or creamery, or for sale in cities, towns or incorporated villages," etc.

In recognition of the same principle and the same necessity, the following clauses from the same Act are of importance:

> "The owners or board of management of any creamery in the Province of Ontario may make such rules and regulations as may be advisable for the due carrying on of the business of the creamery.
>
> "The patrons of all creameries may be required to subscribe their names to such rules and regulations, and the rules and regulations shall be binding on the patrons, owners and board of management who have so subscribed."

In thus according to the manager of a cheese factory the right to inspect at the source of supply, all quibbles about "municipal rights" are effectively disposed of. With the wisdom of the Legislature of 1908 in this regard, we heartily concur; but we believe that it is equally as wise that cities and towns should have the same authority as managers of cheese factories. The motive which prompted extending this supervision for cheese factories was commerce; the motive which impels us to urge similar supervision for municipalities is human health; and we do not think that the Legislature can afford to affirm that commerce is of more importance than human life and health.

Thus, in this recommendation we do not rely on theories or foreign precedents, sound though they be; we seek merely to give vitality and working form to the precedents and principles already laid down by the Legislature of this Province.

SCORE CARD SYSTEM, CLEANLINESS, COLDNESS.

From the principle and plan of inspection, it is pertinent to pass to the points to be observed and the benefits to be aimed at in that regard. In this connection, we heartily commend the score card as admirably adapted to systematize the work, facilitate record keeping and simplify effort, both from the standpoint of the inspector and the inspected. A copy of a score card will be found in the appendix. Under it, various points are given for cleanliness, ventilation, water supply, healthfulness of cattle, and so forth, making a total possible of one hundred. It has been found in some places that a high score has a real commercial value by enhancing the price and securing a better market, and in Western Ontario a graduate of the Agricultural College stated that he was able to get better prices for his milk by having a reputation for sanitary care.

Whatever the system, first prominence should be given to the importance of cleanliness and coldness at every stage in the handling of milk. About this there is nothing new or novel. Science, in showing the dangers of contamination and demonstrating the influence of temperature in developing bacteria, has illuminated the need for care and emphasized the value of ice; but even before science supplied the explanation, it was recognized that milk should be handled carefully and kept cold. At the same time we are convinced by what we have seen in all parts of this Province that there is still considerable room for improvement in this regard on the part of all concerned. We are not disposed to exact conditions which might be criticized as "fads," but it should always be remembered that milk is a food for human consumption and it should be handled accordingly. We believe that every dairy barn should be lime-washed repeatedly and that the practice of removing the dung to at least fifty feet from the barn, or, better still, spreading it on the fields, should be more generally adopted. There should be no stagnant pool or other objectionable nuisance in the barnyard. A little attention to draining and grading the barnyard will remove the conditions of mud and manure through which cows often have to wade to get to the stable and which renders it difficult to keep the animals clean. The stable should preferably be of cement floor, for that is more easily kept clean and free from objectionable odour arising from soakage; but, equally important, it should have plenty of sunlight and ventilation. The hind quarters and udders of the cows should be clipped when they enter the stable for the winter, and the cattle should be brushed every day some little time before milking to secure greater comfort to the animal and prevent dirt from the animal dropping into the milk pail. In the milking the first drawn milk should be discharged, as it contains large numbers of bacteria. A small-top pail has been found to lessen the dangers of contamination from dust or particles from the cow by twenty-five per cent. The milk should be removed from the stable immediately it is drawn from the cow. Each dairy farm should be equipped with a milk house, which need not be expensive, but which should be kept clean and should be supplied with a plentiful quantity of pure cold water, or preferably ice. Especially in the summer months, too much stress cannot be laid on the importance of prompt chilling and keeping the milk cold. Below forty-five the bacteria will not multiply; from forty-five to fifty-five, they multiply slowly; while around seventy, which milk frequently reaches before being delivered to the consumer in the hot weather, they double every half hour. It necessarily follows that the same scrupulous care as to their personal cleanliness should be exercised by those who are doing the milking or milk handling, and in no case should anyone exposed to a contagious disease be allowed to have anything to do with the handling of milk. The hands should always be washed before milking, and the practice of wetting the hands before starting or during milking cannot be regarded as other than filthy. Assuming the cows are healthy, produce the milk under conditions of absolute cleanliness, handle it with the same care, chill quickly and keep cold until used, and the problem has been solved. We are firmly convinced that it is easily possible to produce good sanitary milk in the average Ontario barn without any more radical changes than strict cleanliness and prompt chilling, and these are not expensive.

Impossible to get clean milk from dirty cows.

TACTUL VETERINARIAN COULD ACCOMPLISH MUCH.

It is easily conceivable that the visit of a veterinarian-inspector three or four times a year, making tactful suggestions and encouraging improvements in all lines, would have a wonderfully beneficial effect, but it is not to be expected that any revolution can be wrought in a week or a month. It must be a gradual process of education and peaceful persuasion. Tact on the part of the inspector will always accomplish more than stern authority. Two of the great difficulties to be met with are the tenant farmer and the man with the old barn. Many of these instances were observed in different parts of Ontario. The one cannot be expected to make extensive improvements, and the other cannot be expected to pull down the old, poorly-lighted and poorly ventilated structure. A few might have to go out of the dairy business—the business of producing human food—but for the most part both can clean up their premises and make the best of their circumstances. Let it not be thought that there is contemplated any such thing as an invasion of "personal liberty." The manufacturer may not run his factory until he has conformed to certain necessary regulations for the protection of his employees; the baker may not make his bread until he has conformed to a standard which will safeguard his consumers; the man in the city may not build a house without considering its effect on his neighbour or the health of the occupant through unsanitary conditions. A score of such illustrations could be adduced to indicate the methods by which modern society seeks to protect itself, and in their reflected light show the reasonableness of the suggestion that there should be similar supervision in connection with the dairy business, which comes so closely in touch with everyone. Furthermore, we believe the intelligent and progressive farmers and dairymen appreciate the benefits which informed and informing inspection would mean to them. In those sections where it has been carried on systematically, it is not only not resented, but welcomed, and we are glad to bear testimony to the splendid manner in which farmers are co-operating with health officers and veterinarians for improved conditions. We desire to see this co-operation extended to all parts of the Province with the same excellent results. But we would like to lay stress on the fact that the work must be carried on in a spirit of co-operation rather than by antagonistic authority. For the intelligent and progressive farmer who is honestly doing his best, there should be every assistance and encouragement; for the man who by persistent and deliberate carelessness gambles with the health and perhaps the lives of his customers and their children, there should be no more

Newly constructed, recognizing the value of sunshine and ventilation.

sympathy than there is for the man who puts little apples in the bottom of the barrel and decayed ones in the centre, or the manufacturer who makes use of peanut shells to make breakfast food.

THE TUBERCULOUS COW MUST GO.

With a system of thorough inspection should be launched a strong and intelligent effort to combat tuberculosis among cattle, the ravages of which in this Province make it at once the most dreaded and destructive of bovine diseases. This aspect of the question must be considered from two standpoints—from the standpoint of the financial loss to dairymen which it annually entails, and from the more important and likewise more controversial standpoint of the loss of human life through contaminated milk.

That there is a steady annual financial loss through the wasting and death of tuberculous cows, there can be no doubt, but the amount cannot even be estimated as no records are kept. As to the prevalence of the disease, there is a wide range of opinion. Special enquiries were made. In Western Ontario, veterinarians stated that twenty to twenty-five per cent. of the cattle were diseased. In Toronto, an eminent veterinarian expressed the opinion that not more than five per cent. of the ordinary dairy cattle suffered, but that it was much more prevalent in the pure-bred cattle. In Eastern Ontario, the estimate was placed at fifteen to twenty per cent., but of a herd of 118 well bred Jerseys on a farm near Ottawa, 90 reacted to the tuberculin test in 1908, although all were splendid looking and apparently healthy animals. Of the 1978 cattle which, according to the latest report, were voluntarily tested under the supervision of the Health of Animals Branch at Ottawa as a result of the free distribution of tuberculin, 263, or about 12 per cent., reacted. Of course it is to be remembered that these were suspected of being infected and the percentage may not be representative. These figures, although necessarily only estimates, will give some idea of the magnitude and seriousness of the problem. With 1,075,496 milch and 1,595,088 other cattle in the Province according to the figures of 1909, even the lowest estimate of five per cent. means there are over 125,000 more or less tuberculous animals. It is to be feared, however, that the true total would be nearer double that number. From the point of view, therefore, of the dairy and beef industry. strong and intelligent steps should be taken to curtail the ravages of bovine tuberculosis.

TUBERCULOSIS FROM CONTAMINATED MILK.

We, however, are chiefly concerned with the question of the danger of tuberculosis from contaminated milk, and are first confronted with the old scientific controversy—"is bovine tuberculosis communicable to man?" If it is not, the matter is easily disposed of, but if it is, then there is a grave situation to be faced, and faced candidly.

It is not necessary here to go at any great depth into the intricacies of the controversy which has raged in the scientific world for some years past. The story may be briefly told. Tuberculosis is not hereditary, but a person may inherit a predisposition to it. There are two schools of thought—one maintaining that tuberculosis is almost entirely caused by "inhalation," that is, by breathing in germ-laden air; the other maintaining that a large percentage is caused by "ingestion," that is, the germ being taken into the digestive tract with tuberculous milk or other products. Prof. Robert Koch, the eminent German scientist, is the chief exponent of the first school; Von Behring, another eminent German scientist, is the chief exponent of the second school.

But the controversy has largely hinged on the statement of Koch in 1901. When he discovered in 1882 that tuberculosis was caused by a germ, he also expressed the view that the bacilli were the same in the bovine and human species. This was accepted as authoritative until Koch startled the scientific world in 1901 with the statement that the disease was different in man and cattle, and therefore was rarely, if ever, communicable, and there was no need for preventing the use of products of tuberculous animals for food. This was not so readily accepted. Instead, the German and British Government both appointed commissions composed of their leading scientific men to carry on independent enquiries. These commissions pronounced against the Koch view. Of 56 different "cultures" examined by the German Commission, 6, or over ten per cent. were held to be of bovine origin. Of 60 cases investigated by the British Commission, 14 were declared to be of bovine origin. Invariably the cases were found among children. The British Commission in its Interim Report in 1907, the latest such utterance on the question, said:

Tuberculin-tested herd from which milk is sold profitably at five cents a quart.

"There can be no doubt but that in a certain number of cases the tuberculosis occurring in the human subject, especially in children, is the direct result of the introduction into the human body of the bacillus of bovine tuberculosis; but there also can be no doubt that in the majority at least of these cases the bacillus is introduced through cows' milk. Cows' milk containing bovine tubercle bacilli is clearly a cause of tuberculosis and of fatal tuberculosis in man. Of the 60 cases of human tuberculosis investigated by us, fourteen of the viruses belonged to Group I., that is to say, contained the bovine bacillus. If, instead of taking all these sixty cases, we confine ourselves to cases of tuberculosis in which the bacilli were apparently introduced into the body by way of the alimentary canal, the proportion of

Group I. becomes very much larger. Of the total sixty cases investigated by us, twenty-eight possessed clinical histories indicating that in them the bacillus was introduced through the alimentary canal. Of these, thirteen belong to Group I. Of the nine cases in which cervical glands were studied by us, three, and of the nineteen cases in which the lesions of abdominal tuberculosis were studied by us, ten belong to Group I. These facts indicate that a very large proportion of tuberculosis contracted by ingestion is due to tubercle bacilli of bovine source. A very considerable amount of disease and loss of life, especially among the young, must be attributed to the consumption of cows' milk containing tubercle bacilli. The presence of tubercle bacilli in cows' milk can be detected, though with some difficulty, if the proper means be adopted; and such milk ought never to be used as food. There is far less difficulty in recognizing clinically that a cow is distinctly suffering from tuberculosis, in which case she may be yielding tuberculous milk. The milk coming from such a cow ought not to form part of human food, and, indeed, ought not to be used as food at all. Our results clearly point to the necessity of measures more stringent than those at present enforced being taken to prevent the sale or consumption of such milk."

In spite of the fact that he is in the minority, Koch has not yet entirely receded from the position he took in 1901, but is still experimenting. At the International Congress on Tuberculosis, held in Washington in 1908, he made it clear in the presence of the most eminent scientists of the world that he still believed that bovine tuberculosis was rarely transmitted to man and then only to infants. His views were voiced in the following words, as reported on page 754 of the Official Report:

"I would again call attention to the fact that human tuberculosis is the principal point of attack, because eleven-twelfths of the patients perish through this type of infection. I admit that bovine infection can occasionally occur, and I desire not to be understood as disregarding the endeavour to extirpate bovine tuberculosis as far as these endeavours are dictated by agricultural and economic reasons. But I mean that it would be wrong to give these proposals the leading place in front of the efforts to combat human tuberculosis."

Along with the Koch view is to be taken the fact that in Japan, where there are few cows, tuberculosis is rampant and in Cuba, where there is no bovine tuberculosis, as related on another page in the experience of Louisiana State, yet the same prevalence exists. At the same time it must be borne in mind that the great majority of the most eminent scientists declare the disease is transmissible; and British and American legislation, not to mention other countries, is shaped to combat that transmissibility.

PREVALENCE OF BOVINE BACILLI IN HUMAN BEINGS.

Admitting the transmissibility, therefore, your Commission are strongly of the opinion that steps should be taken to protect the people of this Province from the dangers of cantaminated milk. As to the extent of this danger, we made some enquiries. Dr. W. H. Park, the eminent authority on bacteriology in New York, stated that, roughly, 1.6 to 3% of all the deaths from tuberculosis in New York City was due to bovine origin, and that twenty per cent. of the tuberculosis of infants is of bovine origin. He had found no bovine bacilli in adults. Dr. G. W. Goler, of Rochester, who has been making some experiments of his own, declared that fifteen per cent. of the tuberculosis among children was of bovine origin. Dr. J. G. Rutherford, Veterinary Director General for the Dominion, declared that it was admitted that at least seven or eight per cent. of the cases of tuberculosis were of bovine origin, and his own opinion was that the percentage was a great deal higher.

It must be remembered, of course, that every tuberculous cow does not give tuberculous milk. Fortunately, only cows which have tuberculosis of the udder or of the glands will impart the bacilli with the milk. Veterinarians agree that there is not more than one or two per cent. of the cows of this Province which have tuberculosis of the udder or glands. But the insidious nature of the disease is such that it is impossible to tell when it may spread from other parts to the udder and thereby get into the milk. There is an additional way by which the milk may become contaminated, and that is, by reason of the excreta from a tuberculous cow or the contaminated stable dust dropping into the milk through careless handling. In this connection, E. C. Schroeder, M.D.V., one of the experts of the Washington Bureau of Animal Industry, has found that the average cow passes thirty pounds of excreta a day, and this would contain 37,800,000 tubercle bacilli. Hence, the presence of a tuberculous cow in a stable is a menace to some extent, slight or otherwise.

METHODS USED IN OTHER COUNTRIES.

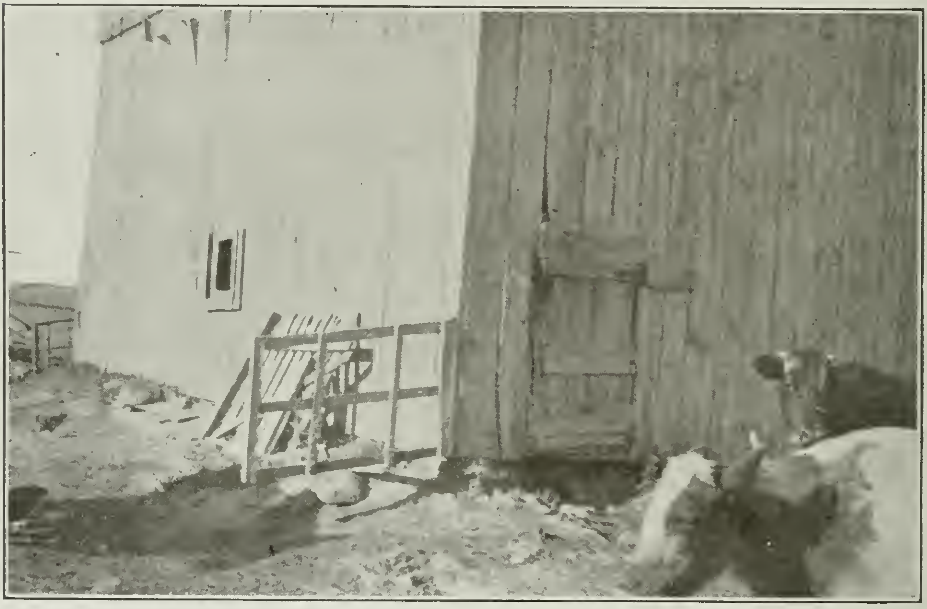
The tuberculin test, introduced by Koch in 1890, has been the most potent factor in the fighting of bovine tuberculosis. To some extent or other it is now almost universally used and is recognized as the most reliable diagnostic agent. The great problem has always been, what to do with the cattle which react, in order to avoid heavy loss. In Denmark, Prof. Bang has introduced the plan of keeping the reactors separate from the rest of the herd and using them for breeding purposes, boiling the milk before feeding it to calves or other stock. This has had good results in Denmark and has been adopted with partial success in other countries. In this connection it is important to read the words of Prof. Thomas Carroll, in an address at the Anti-Tuberculosis Congress in Ireland in 1908. He said:

"It is to Denmark we must look for the greatest reduction in deaths during these thirty years, and there can be little doubt now that this reduction was due to the exertions of Prof. Bang, to the measures taken by the Danish Government to materialize Bang's suggestions, and to the great amenability of the Danish farmers to the influence of their scientific men that works through the governmental departments. We can learn a lesson from Denmark that even in public health cooperation may be a great aid. It is perfectly clear that the important decrease in human tuberculosis in Denmark was coincident with the measures taken for dealing with tuberculosis of the animals of the farm. It has also been made evident that much improvement is due to the spirit of co-operation and helpfulness which exists in that country."

In England, reliance is placed on the physical and clinical test, and no cow suffering from tuberculosis of the udder or in which tuberculosis can be detected by emaciation or a general examination is allowed to be in a herd supplying milk for human consumption. In addition, many cities make bacteriological examinations, and any milk found to contain tubercle bacilli is followed up and the herd submitted to the tuberculin test.

In the United States, the educational influence of the Federal Government has been thrown on the side of a general application of the tuberculin test and a few State Governments have granted compensation. Compulsory tuberculin testing has also been exacted as a condition of supplying milk to the following cities: Minneapolis, St. Paul, St. Cloud, Alexandria, Duluth, Mankato, Litchfield, Willman, Albert Lea, Winona, and Montclair, N.J., the latter place being now the scene of an elaborate legal and scientific test case on the question.

In Canada, about half a dozen towns and cities also demand the tuberculin test. In Manitoba an amendment was passed in 1902 giving towns and cities the right to insist on the tuberculin test, and Portage la Prairie, Stonewall and Neepawa have taken advantage of it. According to figures on file at the Health of Animals Branch at Ottawa, of 444 tests made at Portage since 1904, only 7 reacted and 3 were found suspicious; of 291 tests made at Neepawa since January, 1908, 36 reacted; of 47 tested at Stonewall, 4 reacted and one was suspicious. In addition, of 772 tested at Calgary, 44 reacted, while at Moncton, N.B., of 1,480 tested since 1905, only 22 reacted and 10 were suspicious.



Damp, dark stables like this develop tuberculous cattle.

In Ontario, practically nothing has been done in recent years.

CALL FOR PREVENTIVE MEASURES WHICH WILL PREVENT.

With these facts and conditions staring us in the face, it is clear that something more should be done in this Province. What lines promise most effective results? It is, of course, to be remembered that this work at present comes under the jurisdiction of the Health of Animals Branch at Ottawa, and it is encouraging to know that Dr. Rutherford, head of that Branch, is Chairman of an International Committee of experts who are now deliberating on the subject and who are expected to evolve a practical plan. In the meantime, we are of opinion that the provincial and municipal authorities should at least safeguard the milk supply for human consumption. While probably nothing short of a general tuberculin test will completely eradicate the disease from the dairy herds, we are aware that the compulsory application of this test throughout the Province at the present time would not be a practical policy, although of the opinion that at no distant date power should be given municipal councils to enact by-laws for the tuberculin testing of dairy cattle supplying milk to the municipality and for the removal from the dairy herds of all those reacting. It is difficult to persuade dairymen to remove five or six possibly dangerous cows to secure protection from one certainly dangerous. In other words, while ten or twelve might react to tuberculin, only one or two might be giving actually contaminated milk. But point out a cow undoubtedly diseased and undoubtedly giving contaminated milk, and its retention would be too abhorrent to be thought of for a moment.

In 1896 an attempt was made, as shown in our review of the laws, to give local boards of health power to enact by-laws requiring tuberculin testing, but the opposition was so strong and continuous that the enactment was of no practical value for reasons hitherto explained. We have, therefore, endeavoured to confine ourselves to a moderate recommendation, in the hope that something of real value will be done. We believe a start should be made along the lines of the British plan by absolutely excluding from dairy herds all cows suffering from tuberculosis of the udder or showing any physical signs of the disease, or whose milk on examination is shown to contain tubercle bacilli. This will not remove all tuberculous cows, but it should remove the most dangerous, and will be a step in advance. This work could be conducted as part of a system of inspection by a veterinarian.

But an equally important factor in the eradication of tuberculosis would be the improved sanitation which a system of rigid inspection would usher in. There is no doubt but that one of the most potent causes of the disease in this Province is the low, dark, close, foul-smelling stables in which the cattle are housed. There is equally no doubt but that one of the most potent enemies of disease is fresh air and sunshine. Anything that will improve the light and ventilation will go a long way to improve the health of the animals. The tuberculous cow must go.

SHOULD ALSO GUARD AGAINST OTHER DISEASES.

There are other diseases which unfortunately sometimes lurk in the milk supply. Of these the chief are typhoid fever, scarlet fever and diphtheria. Several health officers throughout the Province informed us of epidemics which within their experience had been traced to the milk supply. John W. Trask, of the Public Health and Marine Hospital Service in Washington, has compiled a long list of milk-borne epidemics extending over a period of years, which throws some light on the question of prevalence. His list of milk-borne typhoid epidemics aggregates 179, and includes 107 in the United States, 43 in Great Britain, 23 in Europe, 3 in Australia, 1 in New Zealand and 2 in Canada. Scarlet fever epidemics number 51, 25 in the United States and 26 in Great Britain; diphtheria epidemics aggregated 25, 15 in the United States and 8 in England. The history of each epidemic is given, showing the trail of the disease along a milk route and showing also that as soon as the supply was stopped, the epidemic stopped. Some authorities estimate that twenty-five per cent. of typhoid is milk-borne.

These figures indicate a seriousness which warrants a demand that all reasonable precaution should be taken to safeguard the supply and a stipulation to this effect should be embodied in any new legislation. None of these are bovine diseases, and hence their dissemination through milk is the result of outside contamination, although diphtheria has been known to be caused by a diseased udder or diseased teats. The most frequent means of infection, however, is from a person suffering from one of the diseases milking or handling the milk, from a person who is nursing or otherwise in contact with a victim of the disease milking or handling the milk, or from polluted water being used in the washing of cans or bottles. In fact it is sometimes carried by a milk bottle being taken from a house where the infectious disease prevails.

All these things call for precautionary measures of the strictest nature. It should be made an offence for anyone suffering from a contagious disease to handle milk in any way, and close attention should be directed to see that all cans and utensils are absolutely sterilized, instead of being merely rinsed with lukewarm water as is too frequently the case.

TRANSPORTATION AND RETAILING.

It will be seen that the danger of contamination from infectious diseases exists to almost as great an extent after the milk leaves the farm as before. For this and other reasons equally obvious, no system of supervision is complete which does not include the matter of transportation and vending. At present consuming municipalities have powers of inspection within their territorial limits, and in future legislation we believe this feature should be retained and its usefulness extended. There can be no doubt but that, especially in the larger cities, a great deal of contamination and high bacteria counts are attributable to careless handling after the milk leaves the producer. Especially in the larger cities, where 24 to 36 hours elapse before the milk reaches the door of the consumer, there is ample time and opportunity for contamination unless strict supervision is exercised. An effort should be made to keep the temperature below 55 degrees, in doing which a mineral wool wet blanket over cans packed in ice will be found useful; to maintain strict cleanliness at the premises of the retailer, and to see that the sterilizing of cans and bottles is effectively done. This should also be systematized by use of a score card, for a constant and through supervision in transit is as important as at the source of supply.

In this connection, we believe that it should be made an offence to use a milk bottle or can for any purpose other than that of milk container, and we would strongly urge that bottles and cans should be rinsed in cold water as soon as emptied. A recital of some of the uses to which milk bottles and cans are sometimes put would prove disgusting. It is a simple matter to rinse them with water as soon as emptied or leave water standing in them until collected, and the effect is of material assistance in sterilizing and means an important step towards cleanliness. The ideal milk container is one so inexpensive that it can be thrown away immediately after being used and perhaps before long inventive genius will make this possible.

Another factor in the distribution of milk is the shop, and this appears to us to be the weakest link in the entire modern chain of milk distribution. While, fortunately, only a comparatively small portion of the milk is sold in this way, it cannot be denied that in hot weather it is sold under the worst possible conditions. Surrounded frequently by vegetables, fruit, fish or other merchandise and frequently exposed to a germ-laden atmosphere, it is not surprising that the bacteria should always be counted in the millions. We believe it would be a distinct improvement in the larger cities of the Province to provide that milk should be sold in shops only in bottles, except in shops restricted to dairy products. This plan has been adopted in Chicago, Syracuse and other cities with good results and is being adopted in Boston on the first of May next.

As a means of keeping milk vendors up to the standard, a few of the smaller cities have found the publication of the tests to be of a very material assistance, being more effective than fines and prosecutions. We believe municipalities should be confirmed in the use of this beneficent publicity.

It does not seem to us practical to fix a bacteria standard for the Province, but we are convinced that a bacteriological laboratory and bacteria tests would be found, by the larger cities at least, to be a distinct aid in the supervision of the milk supply. While it might not be found practical to fix an arbitrary standard for bacteria, it would be found that the number of bacteria constituted a reliable index to the cleanliness and care exercised in handling the milk. At present Boston has a municipal standard of 500,000 per cc., Rochester of 100,000, and a few other places of 100,000. New York has a standard of 1,000,000, but found it unworkable and modified it to provide that milk should not contain "an excessive number." This great disparity indicates the difficulty of fixing a standard and is due to the fact that a million of certain kinds of bacteria may be less harmful than a few of certain other disease-producing types. Furthermore, dirty milk kept cold would show a lower count than clean milk kept at a higher temperature. Another point to be borne in mind is that the different "media" used by different bacteriologists in making the counts produces different results. In a general way, however, it would appear reasonable that milk with a count of a million would contain more pathogenic germs than milk with a hundred thousand. A laboratory would keep a city informed on these points; and repeated high counts, or the discovery of tubercle or other pathogenic bacilli, would point to the source of trouble, which might be easily remedied. Of twenty samples tested for your Commission, we found the counts of milk from various parts of the Province ranged from 50,000 to 75,000,000 per cc.

PASTEURIZATION NOT AN IDEAL, BUT MAY BE AN EXPEDIENT.

In preceding chapters there is much evidence to show that the process known as pasteurization has received very considerable attention from your Commission. As this process is being advanced to-day by some as the absolute and by others as the partial solution of the problem of a safe milk supply, we took advantage of every opportunity offered, either by personal experience or literature, to possess ourselves of the most authoritative information on this question. Our study and observation impels us to the conviction that pasteurization cannot be considered as a provincial ideal, but may be found necessary as a municipal expedient. In these conclusions, we have deferred its consideration until after everything else as we believe it should be adopted only after other measures have failed.

Pasteurization is so called because it was first introduced by the eminent French scientist, Louis Pasteur. In his study of the diseases of wine around 1864, he discovered that heating would prevent souring and abnormal fermentation. A few years later the process was applied to milk. Pasteurization therefore means the heating to a point below boiling, which is 212 degrees F., but the term as applied to milk also includes prompt and rapid cooling. Getting down to a more precise definition as to temperature and length of time, pasteurization is found to be a very elastic term. Some, we found ran milk over coils for 30 to 40 seconds at a temperature of from 165 degrees to 185 degrees and called it pasteurization; this is also known as "continuous" or "commercial" pasteurization. Others held it for from 20 to 30 minutes at from 140 degrees to 157 degrees; this is known as "scientific" pasteurization. Still others, like Chicago, have a sliding scale both of time and temperature. Some few pasteurize after the milk has been placed in bottles and thereby avoid absolutely the possibility of further contamination; others pasteurize in open vats, over coils or in closed holding devices.

The object of pasteurization is to kill the bacteria. But there are many kinds of bacteria in milk and some are not so easily killed as others. On this point hinges the question of the length of time required for effective pasteurization. Moreover, the different kinds of bacteria have different influences. On this point hinges the controversy over the wisdom of pasteurizing at all. When it is said that a sample of milk contains one million bacteria per cc. (cubic centimetre), which means a million infinitesimal germs in sixteen drops of milk, it must not be supposed that they are all pathogenic or disease-producing. As a matter of fact, it is probable that few are disease-producing, while a very large number are lactic acid bacteria, which are not only harmless, but useful in that they are Nature's check on the injurious bacteria. Thousands of people who do not know the cause know that milk if kept a certain length of time—the higher the temperature the shorter the time—will sour. Science explains that lactic acid bacteria are the cause. It is also known that milk spreads disease. Science explains that certain pathogenic germs are the cause of tuberculosis, typhoid fever, scarlet fever and diphtheria. They, however, are not killed as easily by pasteurization as the lactic acid germs.

Pasteurization has been in use in the larger dairies on this continent for at least ten or twelve years. It finds greater favour with the large dairy companies than with the small. With few exceptions, the "continuous" process has been used and the main object has been to destroy the lactic acid bacteria in order to prevent souring. In large cities where milk had to be brought long distances and where 24 to 36 hours elapsed before it reached the consumer, this was a material commercial advantage. During recent years more attention has been paid to the value of pasteurization as a means of preventing milk-borne diseases, and then it was found that the existing system was all wrong. A continuous flow of milk over a coil at a temperature of 160 degrees to 180 degrees killed the lactic acid germs and prevented souring, but did not always kill the germs which, if present, spread disease. Many eminent names might be quoted, but it is sufficient to say that the weight of scientific testimony now agrees that nothing short of 140 degrees for twenty minutes will assure absolute immunity from all disease germs, the tubercle bacilli being the most resistent. Some say 140 degrees for thirty minutes or 157 degrees for twenty minutes.

But what of milk after pasteurizing? If only the lactic acid germs are destroyed, then the pathogenic, freed from germicidal restraint, proliferate more rapidly and there is an increase in virulence. If both lactic acid and pathogenic are destroyed, milk cannot be disease-producing without reinfection, but unless the milk is carefully handled, it will in the course of time become putrid, owing to the presence of spores. But the destruction of the bacteria gives an evenness of flavour specially valuable in butter-making. The other question is at to whether pasteurization alters the taste or digestive quality of the milk. While there is considerable diversity of view on these points, the consensus of opinion takes the view that the taste and nutritive quality are not altered to any serious extent. Naturally, the higher the temperature, the more the milk is affected. There still remains to be considered the effect of the dead bacteria; pasteurization only transforms milk "from an aquarium to a cemetery." Roseneau, of the Marine Hospital, Washington, who has done eminent original work on the question, found that dead bacteria injected in guinea pigs proved fatal in a small percentage of cases, thus proving that while not nearly as harmful as when alive, dead bacteria are not absolutely innocuous.

But in spite of of its disadvantages, there can be no doubt that pasteurized milk is much safer as human food than raw, dirty milk.

Up-to-date milk house.

MUNICIPALITIES MUST DECIDE.

Looked at from the laboratory standpoint, pasteurization is a splendid modern plan to overcome the modern complications of transportation and delay which beset the milk supply. It is a striking fact that its chief exponents, with the notable exception of Mr. Nathan Straus, of New York, are laboratory men. Among health officers charged with the practical work of protecting their citizens, it has not yet attained the same popularity, doubtless owing to the difficulties surrounding the practical enforcement of such a process. Across the line, Chicago is the only large city to adopt it as a compulsory system, and then only if cattle are not tuberculin tested, and not as a safeguard against other milk-borne diseases. The story of Chicago is set forth in another chapter, but it offers little assistance to Ontario. In our enquiries in this Province, we found little sentiment in favour of pasteurization, and also little information on the question.

For the Province there can be only one ideal—healthy cows, cleanly methods and prompt chilling. This does not mean "certified" milk, but it should mean reasonably clean milk. Any other ideal would be unworthy of the Province. Pasteurization exponents urge that this is not possible and that in any event in the meantime pasteurization should be adopted. The individual municipality must decide this. We do not see any reason why the adoption of a policy of strict and intelligent supervision, as outlined above, should not result in a reasonably safe supply of milk for any Ontario city or town, all of which, with perhaps one exception, have their supply within easy access. In pointing out that milk is a cause of disease and urging sane precautions to prevent its dissemination, it is not necessary to go to the other extreme and regard it as the chief cause of disease, which it is not. The menace of milk to infant life is pointed out in a previous chapter, and the necessity for a special supply in the hot months is urged. Whether that supply is clean and raw or clean and pasteurized is a detail, as both have shown good results. There should be no pasteurization of dirty milk. But raw milk enters into the daily food of the average adult in cities and towns to too small an extent to be any alarming menace to his health. We believe that safe, clean milk is a matter of self-respect as well as self-defence. If, however, a municipality finds, by bacteriological examinations or otherwise, that a strict supervision does not conduce to a safe milk supply, then pasteurization offers the best expedient yet devised.

In any event, it is time municipalities undertook the regulation of pasteurization. Summed up, continuous pasteurization from the health standpoint is a delusion resulting only in false security; proper scientific pasteurization is effective and comparatively non-injurious. If it is to be done at all, it should be done properly. The public should know what it is buying and no milk should be sold as pasteurized unless it has been held at least 140 deg. for at least twenty minutes. Milk which has been raised to 165 deg. for thirty seconds should be sold as "heated" milk and not as pasteurized. In this connection attention is directed to New York labels on another page. A similar legal protection should be extended to the term "certified."

To pasteurization, the most common objection heard is that it would result in dirty barns and careless methods of handling. This may be a plausible theory but should have no corroboration in actual practice. Pasteurization and inspection are two entirely different things and should not be confused in private thinking or legislative action. Pasteurization cannot make dirty milk clean, though it may render it comparatively harmless. It cannot be too strongly emphasized that pasteurization as an expedient in no way mitigates the fundamental fact that inspection is a sanitary necessity based on a belief in cleanliness for the sake of cleanliness as well as for the sake of protection. If a company desires to pasteurize because its customers want that kind of milk or because the municipality regards it as an essential safeguard, there is the added responsibility on the municipality to see that it is properly done; but there is no less a responsibility on the municipality to maintain a supervision that will assure cleanliness and care at every stage. Unless municipalities desire to undertake the work, which we do not anticipate, the responsibility of pasteurization rests on the individual company; the duty of inspection rests with the municipality. Pasteurization as a substitute for inspection should not be tolerated.

NEED OF CARE BY THE CONSUMER.

But after the producer has done his part, the vendor his and the municipality theirs, there still remains one scource of possible contamination. That is after the milk reaches the consumer. Carelessness in the home may undo carefulness at every other stage. What happens after the milk reaches the individual might be no particular business of the State, except that it is often due to ignorance of the delicate nature of the food. The necessity for care is more especially true of the city than the country. In the rural districts, milk is consumed as a rule a few hours after being drawn, while in the city twelve to thirty-six hours elapse before it even reaches the consumer. In the smaller cities and towns where milk is not delivered in bottles, an open dish or pitcher is often left uncovered at the back door. Before being taken into the house, it is almost certain to accumulate dust, if not more serious contamination. Then it is often left standing in a warm kitchen, in a refrigerator which does not refrigerate, or in some other place where it is surrounded by fish, vegetables or onions, the odors of none of which improve the milk. All these things are due to a little thoughtlessness which a clearer understanding of the nature of the milk and its bacterial action would quickly obviate. Especially where it constitutes the chief food of a little child, too much care cannot be exercised in keeping the milk clean and cold.

An apparatus for pasteurizing the milk is now being used in some homes, while other housewives resort to the old practice of heating the milk before using it. It is admitted that boiling injures the nutritive qualities of milk, but there can be little objection to heating immediately before using if the boiling point is not reached.

Only constant care on the part of producer, distributor and consumer will result in a pure, wholesome milk supply. Any steps that may be taken to disseminate and illuminate this fundamental fact, either by teaching in the schools, distribution of literature or delivery of addresses, exhibitions or otherwise, must prove eminently beneficial.

THE QUESTION OF PRICE.

One of the most frequent objections offered to any organized effort at reform in connection with the milk supply is that it "will raise the price." We do not believe a conscientious adoption of any of the suggestions herein made—and we have sought to be more suggestive than censorious—would result in any material increase to the consumer. We have found places in this Province where reforms have been made, but where the consumer pays no more for his milk than in other places where little attention has been paid to the matter. Moreover, milk is one of the best and cheapest of foods. Providing always against the extortions of injurious combines, the price may be left to the general laws of supply and demand. It is important to note, however, that maintaining a sanitary standard in bakeshops has not affected the price of bread nor driven bakers out of business; nor has the inspection of factories raised the price of the articles manufactured or caused manufacturers to retire.

We would respectfully urge that no time be lost in dealing with the matters herein referred to. In a young country of growing population, it is important to start right. For the cities, this means grappling with the semi-social problems of the protection of infantile life and adult life before the matter becomes too large to be easily handled. For the Government of the Province it means giving legislation and leadership to the individual municipalities.

All of which is respectfully submitted.

A. R. PYNE, *Chairman.*
J. R. DARGAVEL.
F. G. MACDIARMID.
W. F. NICKLE,
W. BERT ROADHOUSE, *Secretary.*

Copy of Suggestions which should be Printed in Heavy, Black Type on Strong Linen and Posted in all Dairies.

DEPARTMENT OF HEALTH

THE CITY OF

Rules and Regulations which must be observed by Farmers and Dairymen in the Care of Cows and Handling of Milk shipped to the City of

THE COWS.

1. The cows must be kept clean.
2. Manure must not be permitted to collect upon the tail, sides, udder and belly of any milch cow.

STABLES.

1. Cow stables must be well lighted and ventilated.
2. Floors must be tight and well drained.
3. Manure must be removed from the stalls and gutters at least twice daily. This must not be done during milking nor within one hour prior thereto.
4. Walls and ceilings must be kept clean.
5. The ceilings must be so constructed that dust and dirt therefrom shall not readily fall to the floor or into the milk.
6. Stables must be whitewashed at least once a year.

THE WATER SUPPLY.

1. The water used in the barn and for washing milk utensils must be free from contamination.

THE MILK-HOUSE.

1. A milk-house must be provided which is separated from the stable and dwelling-house.
2. It must be kept clean and must not be used for any purpose except the handling of milk.

THE MILKERS.

1. No person having any communicable disease, or one caring for persons having such disease, must be allowed to handle the milk or milk utensils.
2. The hands of the milkers must be carefully washed immediately before milking.

THE UTENSILS.

1. All milk utensils, including pails, cans, strainers and dippers, must be kept thoroughly clean and must be washed and scalded after each using.

THE MILK.

1. Milk from diseased cows must not be shipped.
2. The milk must not be in any way adulterated.
3. The straining of milk must be done in the milk-house only.
4. All milk must be cooled to a temperature not above 55 degrees within two hours after being drawn, and kept thereafter below that, and must be cooled to 50 degrees or less if not delivered at the creamery twice daily.
5. The use of any preservative or colouring matter is an adulteration, and its use by a producer or shipper will be a sufficient cause for the exclusion of his product from the city of ———.

RECOMMENDATIONS.

In addition to the preceding rules, the Department makes the following recommendations:

THE BARNYARD.

1. It should be well drained and dry, and should be as much sheltered as possible from the wind and cold.
2. Manure should not be allowed to collect in the barnyard and should not be at any time in contact with a stable or milk-house.

THE STABLE.

1. The cow stable should have an abundance of light and ventilation. The ventilation should preferably be from the top.
2. There should be at least 600 cubic feet of air space for each cow.
3. It is desirable that the place where the cows are kept be used for no other purpose. A cow barn should not be used as a storage place for straw, hay or other feeds, or as a waggon or tool house, as the dust and dirt which accumulates in a place of this character is liable to drop into the milk while being drawn.
4. Stable floor should be made tight and be of some non-absorbent material.
5. Cement or brick floors are the best.

as they can be more easily kept clean than wood or earth.

6. If the space over the cow is used for storage of hay, the ceiling should be made tight to prevent chaff and dust falling through. The practice, somewhat common among farmers, of packing hay, etc., on loose poles over the cows is exceedingly bad, since it invites the collection of dust and cobwebs, and the difficulty of keeping the stable clean is increased.

7. The stable should be whitewashed at least once a month.

8. The manure gutter should be from six to eight inches deep and should be kept free from manure.

9. The use of land plaster or lime is recommended upon the floors and gutters.

10. The flooring where the cows stand should be short enough so that all manure will be dropped into the gutter and not upon the floor itself.

11. The floor should be swept at least an hour before milking in order that the dust may have a chance to settle before the milking is begun.

12. If individual drinking basins are used for the cows, they should be frequently drained and cleaned.

THE COWS.

1. The cows should be kept at all times in a healthy condition and an examination by a veterinary surgeon should be made twice a year.

2. The cows should be groomed daily, and all collections of manure, mud or other filth should not be allowed to remain upon their flanks, sides, udders, or bellies during milking.

3. The clipping of long hairs from the udder and the right side of the cow is of assistance in preventing the collection of filth, which may drop into the milk.

4. The hair on the tails should be cut so that the brush will be well above the ground.

5. In winter the tail may be clipped.

6. The cows should be bedded with sawdust, shavings, dried leaves, straw or some equally clean material.

7. The use of horse manure for bedding is to be condemned.

8. To prevent the cows from lying down and getting dirty between cleaning and milking, a throat latch of rope or chain should be fastened across the stanchions under the cow's neck.

THE MILKING AND MILKERS.

1. The milkers should be clean.

2. Their hands should be thoroughly washed with soap and water and carefully dried on clean towels before milking.

3. Clean overalls and jumpers should be worn during the milking of the cows, should be used for no other purpose, and when not in use should be kept in a clean place protected from dust.

4. The hands and teats should be kept dry during milking.

5. The practice of moistening the hands with milk is to be condemned.

6. The first few streams from each teat should be rejected, as this contains more bacteria than the rest of the milk.

7. All milk drawn from the cows 30 days before and 10 days after calving should be rejected, and also all milk from diseased cows.

8. The pails in which the milk is drawn should have as small an opening at the top as can be used in milking. This renders the collection of dust less likely.

9. The milking should be done rapidly and quietly, and the cows should be treated kindly.

10. Dry fodder should not be fed to the cows during or just before milking, as dust therefrom will fall into the milk.

THE MILK.

1. The milk should be removed as soon as drawn to the milk-house and strained and cooled to the proper temperature at once.

2. A good plan is to strain the milk into cans which are standing in ice water which reaches the neck of the can.

3. The more rapidly the milk is cooled the safer it is and the longer it will keep sweet.

4. Ice should be used in cooling, as very few springs are cold enough for the purpose.

5. If aerators are used, they should stand where the air is free from dust or odour, and on no account should they be used in a stable.

6. Milk strainers should be kept exceedingly clean, and scalded a second time just before using, and if cloth strainers are used, several of them should be provided in order that they may be frequently changed during the straining of the milk.

By order of the Board of Health.

SANITARY INSPECTION OF DAIRIES.

DAIRY SCORE CARD.

Adopted by the Official Dairy Instructors' Association of the United States.

Owner or lessee of farm ....

P. O. address ....State ....

Total number of cows ....Number milking.............

Gallons of milk produced daily ....

Product is retailed by producer in ....

Sold at wholesale to ....

For milk supply of ....

Permit No. ....Date of inspection ....190....

REMARKS ....

....

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....

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(*Signed*)...................................

Inspector.

DETAILED SCORE.

Equipment.	Score. Perfect.	Score. Allowed.
COWS.		
Health	6	......
Apparently in good health 1		
If tested with tuberculin once a year and no tuberculosis is found, or if tested once in six months and all reacting animals removed... 5		
(If tested only once a year and reacting animals found and removed, 2.)		
Comfort	2	......
Bedding ... 1		
Temperature of stable.... 1		
Food	2	....
Water	2	....
Clean ... 1		
Fresh ... 1		
Light: Four sq. ft. of glass per cow	4	......
(Three sq. ft., 3; 2 sq. ft., 2; 1 sq. ft., 1. Deduct for uneven distribution.)		
Ventilation: Automatic system	3	....
(Adjustable windows, 1.)		
Cubic feet of space for cow; 500 to 1,000 feet	3	....
(Less than 500 feet, 2; less than 400 feet, 1; less than 300 feet, 0.)		
STABLES.		
Location of stable	2	....
Well drained ... 1		
Free from contaminating suroundings ... 1		
Construction of stable	4	......
Tight, sound floor and proper gutter ... 2		
Smooth, tight walls and ceiling ... 1		
Proper stall, tie, and manger ... 1		
UTENSILS.		
Construction of utensils	1	....
Water for cleaning	1	....
(Clean, convenient, and abundant.)		
Small-top milking pail	3	....
Facilities for hot water or steam	1	....
Milk cooler	1	....
Clean milking suits	1	....
HANDLING THE MILK.		
Location of milk room	2	....
Free from contaminating surroundings ... 1		
Convenient ... 1		
Construction of milk room	2	....
Floor, walls, and ceiling.. 1		
Light, ventilation, screens 1		
Total	40	....

Methods.	Score. Perfect.	Score. Allowed.
COWS AND STABLES.		
Cleanliness of cows	8	.....
Cleanliness of stables	6	......
Floor ... 2		
Walls ... 1		
Ceiling and ledges ... 1		
Mangers and partitions.. 1		
Windows ... 1		
Stable air	6	......
Barnyard clean and well drained	2	......
Removal of manure daily to field or proper pit	2	......
(To 50 feet from stable, 1.)		
UTENSILS AND MILKING.		
Care and cleanliness of utensils	8	.....
Thoroughly cleansed 5		
Inverted in pure air 3		
Cleanliness of milking	9	......
Clean, dry hands ... 3		
Udders washed and dried 6		
(Udders cleaned with moist cloth, 4; cleaned with dry cloth at least 15 minutes before milking, 1.)		
HANDLING THE MILK.		
Cleanliness of attendants	1	....
Milk removed immediately from stable	2	.....
Cleanliness of milk room	3	......
Prompt cooling. (Cooled immediately after milking each cow)	2	......
Efficient cooling; below 50° F. (51° to 55°, 4; 56° to 60°, 2.)	5	......
Storage: below 50° F. (50° to 55°, 2; 56° to 60°, 1.)	3	......
	3	......
(For jacket or wet blanket allow 2; dry blanket or covered wagon, 1.)		
Total	60	......

Score for equipment ....+ Score for methods ......=.... ....Final score.

Note 1.—If any filthy condition is found, particularly dirty utensils, the total score shall be limited to 49.

Note 2.—If the water is exposed to dangerous contamination or there is evidence of the presence of a dangerous disease in animals or attendants, the score shall be 0.

SUMMER CARE OF SICK BABIES.

The following circular was prepared for use in connection with Infants' Milk Depot Work by the "Conference on the Summer Care of Babies," representing the Departments of Health and of Education, and fifty hospitals, dispensaries, settlements, and other agencies in New York:

4,500 BABIES DIED in New York City last summer from diarrheal diseases. Most of them died because they were given improper food. They could have been saved if they had been taken to the doctor at the beginning of their illness, and had been properly fed.

In hot weather, two or three loose movements a day, even though the baby seems to be well, may indicate the beginning of serious illness; a doctor should see the baby at once. Remember that it is far easier to keep the baby well than to cure it when sick.

The baby is sick when it vomits or has diarrhea, and it is seriously sick when it has several loose green passages a day containing mucus and curds. Improper food is the cause of such illness; therefore stop all food, give cool boiled water and *take the baby to a doctor at once. In summer it is dangerous to wait.*

Breast-fed Babies often vomit or have diarrhea because the mother is sick or tired out and her milk is poor.

Improper food
Irregular meals
Lack of rest and sleep } weaken the mother and injure her milk.
Too frequent or too
prolonged nursing

These causes act especially in hot weather.

Nursing Mothers should therefore keep themselves well and their milk in good condition, by eating at regular hours, three plain, well-cooked meals a day, and they should drink water between meals. They should nurse the baby at regular hours. They should keep their bowels regular; constipation in a nursing mother often causes colic in her baby. Large quantities of tea, coffee and beer do not improve the quality of a mother's milk and may be injurious to her baby. *So long as the mother keeps well the baby will be well.*

If the mother is ill or "run down" or the baby has diarrhea and vomiting, she should consult a doctor at once and *before giving the baby other foods or bottle-feeding.* The quality of the mother's milk may be improved by improving her health.

Bottle-fed Babies often have diarrhea and vomiting because the milk used is bad and old, or the feedings are not properly prepared or properly kept, or the nursing-bottles and nipples are dirty.

Bottle-fed babies must be given only good milk which is kept constantly covered and on ice. Use milk furnished by the milk depots or diet kitchens; if the milk stations are not convenient, get good bottled milk which is delivered every morning. *If the milk cannot be kept properly cooled it should be boiled as soon as received.*

Prepare the feedings for the baby exactly as the doctor directs. Feed the baby at regular hours. Each feeding should be heated to a proper temperature in the nursing bottle before it is given to the baby. Taste a spoonful of the milk immediately before giving it to the baby to be sure that it has not soured. *If the milk is not sweet do not give it to the baby.*

As soon as the bottle used by the baby is empty it should be thoroughly washed with cold water, then cleansed with borax and hot water (teaspoonful of borax to a pint of water). The empty bottles should be put upside down on a shelf. *The bottles should be boiled just before filling for the next feeding.* The nipple should be thoroughly washed after each nursing with hot water, and when not in use should soak in borax water in a covered glass; the nipple must be rinsed in boiling water just before the baby uses it.

CLOTHING.—During the very hot days, or if the baby has fever, remove nearly all the clothing. A muslin slip or gauze shirt is enough. *A baby with fever will not catch cold.*

BATHING.—A baby should have one tub bath every day; on very warm days from two to four general spongings with cool water. If the baby has fever sponge it with cool water every two or three hours and place cool, wet cloths on its head.

FRESH AIR.—Babies, sick or well, must have fresh air. Keep the baby in the largest, coolest room in the house or apartment. Keep as little fire as possible. Keep the rooms free from garbage, soiled clothes and rubbish. Leave the windows open day and night. Avoid the sun on hot days. Select the shady side of the street and the shade of the parks, recreation piers and roofs.

SLEEP AND QUIET.—Keep the baby quiet. Let it sleep alone and let it sleep as much as possible. Lay it on a firm bed, not on feather pillows. Keep the baby and bedclothes clean. Change the diaper and bedclothes as soon as soiled, and sponge the baby with a soft cloth and cool water. If this is done the baby will not be so restless and will sleep better. Do not give "soothing syrup" to make the baby quiet, and do not let the baby hang on the nipple or suck a "baby comforter."

DIAPERS.—Diapers should be carefully washed as soon as they become soiled, and then dried in the open air. Do not use a soiled diaper a second time before washing it.

MODIFIED MILK MIXTURES FOR WELL BABIES.

These Formulae are those Prescribed and Recommended by the Physicians of the Staff of the Hospital for Sick Children, Toronto.

Formula No. 1—*For* 1 *to* 4 *Weeks*:

16 per cent. Cream, 1½ oz.
Whole Milk, 3-4 oz.
Milk Sugar, 7 drams.
Lime Water, 3-4 oz.
Boiled Water to 18 oz.
Fill 9 bottles, 2 oz. each. Feed every 2 hours.

Mixture, 5 cents.
Bottle deposit, 45 cents.

Formula No. 2—*For* 2 *to* 3 *Months*:

16 per cent. Cream, 3 oz.
Whole Milk, 3 oz.
Milk Sugar, 9½ drams.
Lime Water, 1 oz.
Boiled Water to 24 oz.
Fill 8 bottles, 3 oz. each. Feed every 2½ hours.

Mixture, 7 cents.
Bottle deposit, 40 cents.

Formula No. 3—*For* 4 *to* 5 *Months*:

16 per cent. Cream ....4½ oz.—5¼
Whole Milk .... 9 oz.—10½
Milk Sugar ...... 12 drams—12
Lime Water .... 1½ oz.— 1½
Boiled Water to ...... 35 oz.—42
Fill 7 bottles, 6 oz. each. Feed every 3 hours.

Mixture, 12 cents.
Bottle deposit, 42 cents.

Formula No. 4—*For* 6 *to* 7 *Months*:

16 per cent. Cream, 4½ oz.
Whole Milk, 13½ oz.
White Sugar, 1 oz.
Table Salt, small ¼ teaspoonful.
Barley Water, to 36 oz.
Fill 6 bottles, 6 oz. each. Feed every 3 hours.

Mixture, 14 cents.
Bottle deposit, 36 cents.

Formula No. 5—*For* 8 *to* 9 *Months*:

16 per cent. Cream....4 3-8 oz.—5
Whole Milk ...... 21 7-8 oz.—25
White Sugar .... 1½ oz.— 1½
Table Salt .. ¼ teaspoonful — ¼
Oat or Barley Water, to 42 oz.—48
Fill 6 bottles, 8 oz. each. Feed every 3 hours.

Mixture, 16 cents.
Bottle deposit, 48 cents.

For 10 *to* 12 *Months*:

Whole Milk.
Fill 5 bottles, 8 oz. each. Feed every 4 hours.

THE STRAUS LABORATORY, NEW YORK.

The formulæ printed on this page are those used by physicians of the Straus Laboratory, New York City. They are prescribed by Dr. Jacobi and other eminent physicians of New York. It is inserted in this pamphlet to show what is being done in this special line in the United States, and for reference and use if desired.

FORMULAE.

Formula for 1st to 4th Week:

¾ ounces of 16 per cent. Cream.
3 ounces of Full Milk.
19 ounces of Water.
1¼ ounces of Lime Water.
1½ ounces of Milk Sugar.
This mixture fills 8 bottles—each to contain 3 ounces. Feed 2½ hours apart.

Mixture, 5 cents.
Bottle deposit, 40 cents.

Formula for 1st to 3rd Month:

1½ ounces of 16 per cent. Cream.
3 ounces of Full Milk.
13 ounces of Water.
½ ounce of Lime Water.
1 ounce of Milk Sugar.
This mixture fills 6 bottles—each to contain 3 ounces. Feed 3 hours apart.

Mixture, 5 cents.
Bottle deposit, 30 cents.

Formula for 2nd to 6th Month:

18 ounces of Full Milk.
16½ ounces of Water.
1½ ounces of Lime Water.
1½ ounces of Milk Sugar.
This mixture fills 6 bottles—each to contain 6 ounces. Feed 3 hours apart.

Mixture, 8 cents.
Bottle deposit, 36 cents.

Formula for 3rd to 7th Month:

18 ounces of Full Milk.
18 ounces of Barley Water.
1 ounce of Cane Sugar.
20 grains of Table Salt (less than ¼ teaspoonful).
This mixture fills 6 bottles—each to contain 6 ounces. Feed 3 hours apart.

Mixture, 8 cents.
Bottle deposit, 36 cents.

Formula for 7th to 9th Month:

22½ ounces of Full Milk.
7½ ounces of Oat or Barley Water.
1½ ounces of Cane Sugar.
30 grains of Table Salt (about ¼ teaspoonful).
This mixture fills 5 bottles—each to contain 6 ounces. Feed 3½ hours apart.

Mixture, 10 cents.
Bottle deposit, 30 cents.

After 9th Month:

Full pasteurized Milk, 8 ounces every 4 hours.

To make one quart of Oat or Barley Water—Boil 2 tablespoonfuls of the flour in a quart of water until it is reduced to half the quantity, then add sufficient water to make up the quart.

Auditor's Report

ON

PUBLIC ACCOUNTS

1909

Pursuant to the provisions of sub-section 2 of section 13 of the Audit Act as amended by section 6, chapter 10, 9 Edward VII.

PRINTED BY ORDER OF
THE LEGISLATIVE ASSEMBLY OF ONTARIO

TORONTO:
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1910.

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29-37 Richmond Street West.
TORONTO

To His Honour, John Morison Gibson, *a Colonel in the Militia of Canada, etc.,*
Lieutenant-Governor of the Province of Ontario.

May it Please Your Honour:

The undersigned has the honour to present to Your Honour statements of the Auditor pursuant to the provisions of sub-section 2 of section 13 of the Audit Act as amended by section 6, chapter 10, 9 Edward VII.

Respectfully submitted,

A. J. Matheson,

Provincial Treasurer.

Treasury Department, Ontario,

Toronto, 26th January, 1910.

AUDITOR'S OFFICE,

TORONTO, January 24th, 1910.

SIR,—I have the honour to submit for the information of the Assembly statements as directed by a minute of the Treasury Board dated the 29th day of October, 1909, pursuant to the provisions of sub-section 2 of section 13 of the Audit Act as amended by section 6, chap. 10, 9 Edward VII., as follows:

(1) Cheque issued for which the Auditor refused to certify, *re* the estate of Adelaide H. Allan.
(2) Special Warrants issued.
(3) Reports to Council and minutes of the Treasury Board.

HON. A. J. MATHESON, K.C.,
Provincial Treasurer.

JAMES CLANCY,
Auditor.

TREASURY BOARD OVER-RULING.

JAMES CLANCY, ESQ.,
Provincial Auditor,
Parliament Buildings.

Re ADELAIDE H. ALLAN ESTATE.

DEAR SIR,——The question of refund to be made to the executors of this estate will be referred to the Treasury Board for a decision and I hand you herewith a copy of a memorandum with statements attached, which will be placed before the Board. If you have any objections in addition to what is stated on page two of the memorandum I would be glad if you would let me have them at your earliest convenience so that I can place them before the Board.

Yours truly,

J. B. MCLEOD,

Solicitor to the Treasury.

Memorandum for Treasury Board, under section 13 of the Audit Act of 1908 as amended by 9 Edward VII., Chapter 10, section 3.

ADELAIDE H. ALLAN ESTATE (York County).

The late Adelaide H. Allan of Toronto died on or about February 1st, 1909. Under section 15, (1) of the Succession Duty Act of 1909 the Succession Duty on this estate is due at the date of death and payable within eighteen months thereafter. Under section 11, (2) of said Act the Treasurer may accept a sufficient sum as security for payment of duty and may in such case allow and pay to the executor interest thereon at a rate not exceeding 3 per cent. per annum upon so much thereof as from time to time exceeds the amount of duty which has become payable under said Act. On April 30th, 1909, the Treasurer accepted $7,500 as security for succession duty in this estate. The executor desired to have the exact amount of duty ascertained and paid. Statement No. 1 hereto attached shows the amount of duty payable on or before July 31st, 1910, without interest (eighteen months from the date of death) to be $7,267.47, and the interest thereon for prepayment on May 21st, 1909, to be $261.02. Interest should, in my opinion, be also allowed on the deposit of $7,500 from April 30th, 1909, when the above deposit was made, until May 21st, 1909, upon which date the amount of duty was fixed by consent of the executors, although such adjustment might have been deferred until eighteen months from the date of death. The executors are, therefore, entitled to a refund of $506.50 as shown by said statement No. 1. The Provincial Auditor has refused to certify that a cheque for this amount may issue.

1. The expenditure is required for the purpose of refunding to the executors the amount to which they are entitled after paying amount found for succession duty as of May 21st, 1909.

2. There is no appropriation to which the expenditure is chargeable, but the balance due the executors should be paid out of the sum deposited by them as security.

3. The Auditor objects to the allowance of interest on the deposit of $7,500 from April 30th, 1909, to May 21st, 1909, as he contends that interest should be allowed on only the excess of $7,500 over $7,267.47 under said section 11, (2) of the said Act. Statement No. 2 hereto attached shows the Auditor's mode of arriving at amount of refund.

4. In answer to the Auditor's objection I contend that no duty has yet become payable as the executors are entitled to eighteen months within which to pay the duty and interest should be allowed on the whole deposit of $7,500 from date of deposit till May 21st, 1909, the date on which duty is prepaid by consent. It has been the practice of this Department to allow interest in this way.

The question is submitted to your Honourable Board for your consideration.

J. B. McLeod,

Solicitor to the Treasury.

Toronto, June 10th, 1909.

STATEMENT No. 1.

Adelaide Harriet Allan.

Statement of Succession Duty.

Date of death, 1st February, 1909.
Date duty payable: 1st August, 1910.
Domicile: Ontario.

Value of assets as sworn	$184,876 91
Add: Interest, to date of death, on mortgages, debentures and bonds as sworn to by F. G. B. Allan, 6th May, 1909	944 07
	185,820 98
Deductions under section 4	4,134 30
Net amount for distribution	181,686 68

Distribution.

All to children	181,686 68

Duty.

4 per cent. on $181,686.68	$7,267 47	
Deposited April 30th, 1909		$7,500 00
Interest at 3 per cent. per annum on $7,500 to May 21st, 1909, 21 days		12 95
Interest on allowance on $7,267.47 for prepayment at 3 per cent. per annum from May 21st, 1909, to August 1st, 1910. 1 year and 72 days		261 02
	7,267 47	7,773 97
		7,267 47
Amount to be refunded		$506 50

Toronto, May 14th, 1909.

STATEMENT No. 2.

ADELAIDE HARRIET ALLAN ESTATE.

Statement of Succession Duty.

Date of death: 1st February, 1909.
Date duty payable: 1st August, 1910.
Domicile: Ontario.

Value of assets as sworn	$184,876 91
Add: Interest, to date of death, on mortgages, debentures and bonds as sworn to by F. G. B. Allan, 6th May, 1909	944 07
	185,820 98
Deductions under section 4	4,134 30
Net amount for distribution	181,686 68

Distribution.

All to children	181,686 68

Duty.

4 per cent. on $181,686.68	$7,267 47	
Deposited, April 30th, 1909		7,500 00
Interest at 3 per cent per annum on amount deposited in excess of amount of duty, $232.53 ($7,500.00—$7,267.47) (sec. 11, ss. 2) to May 21, 1909, 21 days		40

Interest allowance on $7,267.47 for prepayment at 3 per cent. per annum from May 21st, 1909, to August 1st, 1910, 1 year and 72 days		261 02
	$7,267 47	$7,761 42
		7,267 47
Amount to be refunded		$493 95

Toronto, May 21st, 1909.

This statement is not in accordance with my mode of arriving at the proper amount due the Province.

J. CLANCY,
Auditor.

TORONTO, June 17th, 1909.

RE ADELAIDE H. ALLAN ESTATE.

DEAR SIR,—I am in receipt of a copy of your memorandum for the Treasury Board by way of appeal from a verbal and informal objection of the Audit Office in respect to the payment of interest claimed by the Executors of this estate, also accompanying statements Nos. 1 and 2 as made up in your office, the former showing your mode of making up the interest.

So far as the interest payable on the deposit under the provisions of section 11 (2) is concerned the whole case upon which you appear to rely would seem to be substantially set forth in paragraph 4 of your memorandum, namely, that no duty has yet become payable, as the executors are entitled to eighteen months within which to pay the duty, and that interest should therefore be allowed on the whole deposit of $7,500, from the date of deposit till May 21, 1909, the date on which the duty was *prepaid by consent.*

The duty is due at death and payable within eighteen months without interest.. In other words, the executors under the provisions of section 15 (1) have not only the option of paying the duty at the end of the eighteen months, but they have also the option of paying it any time they may think proper within the eighteen months, while on the other hand the Province is without option in the matter, and is bound to accept payment of the duty when tendered. Therefore, the statement that the duty was *prepaid by consent,* is, I respectfully submit, utterly without foundation.

It would seem irresistibly clear in this case that for the purposes of sections 11 (2) and 15 (1) the duty was payable whenever the executors exercised their legal right to avail themselves of their option, by which they are bound, and cannot afterwards alternately blow hot and cold for the purpose of evading the provisions of section 11 (2) by declaring in one breath that the duty was payable only at the end of the eighteen months, and in the next that it was payable at their pleasure.

The annexed statement shows the amount in excess of the deposit to be refunded and the interest thereon in my opinion properly payable.

Referring to paragraph 2 of your memorandum the deposit was paid to the credit of the Consolidated Revenue Fund, and is, therefore, no more available for the purpose of making this refund than it is available for any other purpose in the public service. There is, however, an appropriation under Vote 88 out of which it may be properly paid.

There is, however, another matter contained in your statement to which I desire to briefly refer, namely, the allowance or abatement on the duty payable, equal to interest at the rate of 3 per cent. per annum for what is termed prepayment. As a matter of fact, as has already been stated, there is no such thing as prepayment of the duty for the obvious reason that it is not paid till it is due and payable.

But there is a more serious question involved and that is that no debt due the Crown may be waived or abated without the authority of the Legislature. Nor are there any funds available for such purpose until they are definitely provided by the Legislature.

Having stated in general terms the grounds of objection to the payment of the interest and rebate claimed by you for the executors, may I be permitted to restate the same objections in a more concise form, but embodying all the essential points of the objection by submitting the following questions for the consideration of the Treasury Board.

(A) Is the duty in this case as a matter of law within the meaning of section 11 (2) payable at any time within eighteen months, or is it payable only at the end of eighteen months?

(B) May a debt due the Crown be legally waived or abated without the authority of the Legislature?

Yours truly,

J. CLANCY,

Auditor.

J. B. McLEOD, Esq.,

Solicitor to the Treasury.

ADELAIDE H. ALLAN ESTATE.

Date of death when duty was due February 1st, 1909.	
Date within which duty might have been paid without interest, August 1st, 1910.	
Date of and amount of deposit in lieu of bond under section 11 (2), April 30th, 1909	$7,500 00
Date fixed for payment of duty after adjustment of same, May 21st, 1909.	
Amount of duty as adjusted	7,267 47
Amount of deposit in excess of the duty to be refunded	$232 53
Interest on deposit in excess of duty from April 30th, 1909, to May 21st, 1909, at 3 per cent. per annum	40
Total amount of refund	$232 93

JAMES CLANCY, Esq.,
Provincial Auditor,
Parliament Buildings.

TORONTO, June 22nd, 1909.

RE ADELAIDE H. ALLAN ESTATE.

DEAR SIR,—I am in receipt of your letter of the 17th inst. stating the grounds of objection to the payment of interest and rebate in connection with the refund to be made to the executors of this estate. In the first place you object to my statement in paragraph 4 of the memorandum for the Treasury Board that the duty was prepaid by consent on May 21st, 1909. For the purpose of determining the amount of refund I submit that it is immaterial whether the duty was paid by consent or not. I think, however, that the element of consent is not lacking, as I am of the opinion that the Department might refuse to accept a tender of the duty before the end of eighteen months from the date of death, although it is improbable that it would do so, as the policy is to obtain payment as soon as possible, and although under section 21 (3) of the Act of 1909 an action may be brought, before time for payment, to determine the amount of duty, the Court could not, in my opinion, order payment before the time arrived.

You next state that it is clear for the purposes of sections 11 (2) and 15 (1) the duty was payable whenever the executors exercised their legal right to avail themselves of their option by which they are bound, and cannot afterwards alternately blow hot and cold for the purpose of evading the provisions of section 11 (2), by declaring in one breath that duty was payable only at the end of eighteen months, and in the next that it is payable at their pleasure. Assuming, for the purposes of your argument, that this is correct, which I do not admit, the duty was payable on May 21st, the date on which the executors exercised their option, after accepting the Department's statement as of the same date showing its adjustment of the matter. If this is so there would, therefore, be a period of time during which the executors did not exercise their option, and during which no duty was payable. During this period the excess of deposit was, therefore, $7,500 on which excess interest should be allowed under section 11 (2).

I note that the deposit having been paid to the credit of the Consolidated Revenue Fund is not available for the refund, but that there is an appropriation under Vote 88 out of which it may properly be paid.

I am aware, as you intimate, that there is no statutory authority for the allowance of a rebate where duty is paid before the end of the eighteen months, though it has been the practice of the Department to allow such rebate and no objection has hitherto been taken to it by the Audit Department.

I am attaching to the memorandum for the Treasury Board a copy of your letter and of my reply thereto. If you wish to make any reply I would be glad if you could let me have it by Thursday so the matter can be submitted to the Treasury Board and disposed of.

Yours truly,

J. B. MCLEOD,

Solicitor to the Treasury.

TORONTO, June 23rd, 1909.

J. B. McLEOD, Esq.,
Solicitor to the Treasury.

RE ADELAIDE H. ALLAN ESTATE.

DEAR SIR,—I am in receipt of your letter of the 22nd inst. dealing further with the question of interest allowance in this case. Your argument assumes, although not so definitely stated, that interest may be allowed from first to last on the whole deposit whether such deposit is made partly or wholly in lieu of a bond, thereby, as in this case precluding the possibility of the question of allowing interest on the excess of the deposit over the duty payable ever arising.

Power was taken for the first time under 8 Edward VII., Chap. 33, Section 7 (*a*) to allow interest on deposits made in lieu or partly in lieu of bonds. That section as you are aware was repealed by 9 Edward VII., Chap. 12, Section 11 (2) which limits the payment of interest on deposits made in lieu of bonds under all circumstances to the excess, if any, of the deposit over the duty payable.

Yours truly,

J. CLANCY,

Auditor.

TORONTO, 24th June, 1909.

JAMES CLANCY, Esq.,
Provincial Auditor,
Parliament Buildings.

RE ADELAIDE H. ALLAN ESTATE.

DEAR SIR,—I am in receipt of your letter of the 23rd instant. When you state that my argument assumes that interest may be allowed on the whole deposit from the first to last thereby precluding the possibility of the question of allowing interest on excess of the deposit over the duty payable ever arising, I presume you mean that according to my argument a case could not arise where the excess would not be the whole deposit. It would, in my opinion, arise in the case where the duty was not paid until after the end of the eighteen months. In such a case interest will be allowed on the whole deposit to the end of the eighteen months, the date on which the duty will become payable, and after that date on the difference between the deposit and such duty.

Yours truly,

J. B. McLEOD,

Solicitor to the Treasury.

TORONTO, June 24th, 1909.

J. B. McLEOD, Esq.,
Solicitor to the Treasury.

RE ADELAIDE H. ALLAN ESTATE.

DEAR SIR,—I am in receipt of yours of this day's date and beg leave to repeat that according to your argument the question of allowing interest on so much of the deposit as might exceed the amount of duty payable could not arise. Certainly not within eighteen months, because you contend that interest should be allowed on the whole deposit up to that time, and for the same reason it could not arise thereafter for the obvious reason that the duty is not in all cases payable within eighteen months. Nor is it in any case necessarily payable at the time first fixed by the Act, as the time for payment may be almost indefinitely extended. But apart from other consideration the crucial point in the case is that under section 11 (2) authority is given to allow interest on so much of the deposit as exceeds the duty payable. But there is no authority given to allow interest on so much of the deposit as equals the duty, and the authority is as absolutely essential in the one case as in the other.

Yours truly,

J. CLANCY,
Auditor.

COPY OF A MINUTE OF THE TREASURY BOARD, DATED 15TH DAY OF JULY, A.D. 1909.

The Provincial Auditor refused to certify the sum of $506.50 to the Adelaide H. Allan estate as requested by the Solicitor to the Treasury. The Treasury Department has submitted the sufficiency of the Auditor's objection to the Treasury Board for determination as provided by paragraph (*c*), subsection 1, section 13, of "The Audit Act," as amended by 9 Edward VII., Cap. 10, s. 3. The facts as set out in the correspondence between the Auditor and the Solicitor to the Treasury may be briefly stated as follows, as submitted by the Solicitor to the Treasury Department:

The late Adelaide H. Allan, of Toronto, died on or about February 1st, 1909. Under section 15 (1) of the Succession Duty Act of 1909 the succession duty on this estate is due at the date of death and payable within eighteen months thereafter. Under section 11 (2) of said Act the Treasurer may accept a sufficient sum as security for payment of duty, and may in such case allow and pay to the executor interest thereon at a rate not exceeding 3 per cent. per annum upon so much thereof as from time to time exceeds the amount of duty which has become payable under the said Act. On April 30th, 1909, the Treasurer accepted $7,500 as security for succession duty in this estate. The Executor desired to have the exact amount of duty ascertained and paid. Statement No. 1 attached shows the amount of duty payable on August 1st, 1910 (eighteen months from the date of death), to be $7,267.47, and the interest thereon for prepayment on May 21st, 1909, to be $261.02. Interest should, in my opinion, be also allowed on the deposit of $7,500 from April 30th, 1909, when the above deposit was made until May 21st, 1909, upon which date the amount of duty was fixed by consent of the Executors, although such adjustment might have been deferred until eighteen months from the date of death. The Executors are, therefore, entitled to a refund of $506.50, as shown by said statement No. 1. The Provincial Auditor has refused to certify that a cheque for this amount may issue.

1. The expenditure is required for the purpose of refunding to the Executors the amount to which they are entitled after paying amount found for succession duty as of May 21st, 1909.

2. There is no appropriation to which the expenditure is chargeable, but the balance due to the Executors should be paid out of the sum deposited by them as security.

3. The Auditor objects to the allowance of interest on the deposit of $7,500 from April 30th, 1909, to May 21st, 1909, as he contends that interest should be allowed on only the excess of $7,500 over $7,267.47 under said section 11 (2) of the said Act Statement No. 2 hereto attached shows the Auditor's mode of arriving at amount of refund.

4. In answer to the Auditor's objection I contend that no duty has yet become payable as the Executors are entitled to eighteen months within which to pay the duty and interest should be allowed on the whole deposit of $7,500 from date of deposit till May 21st, 1909, the date on which duty is prepaid by consent. It has been the practice of this department to allow interest in this way.

The Board is of opinion that the duty becomes payable by the Succession Duty Act within eighteen months from the date of death, and that the Executors of the estate were not compellable to pay the duty until the last day of such period and may be allowed interest at a rate not exceeding 3 per cent. per annum by the Provincial Treasurer upon the amount deposited by them as security for payment of duty or upon any amount prepaid for duty, from the date of deposit or prepayment until the expiry of the time within which the duty becomes under the Act payable. In support of this ruling the Board refers to section 11 (2).

The Board is of the opinion that the question of the right to release or cancel a debt to the Crown or to pay money without the authority of the Legislature, does not come in question, as the interest payable is authorized by the Succession Duty Act and is thus payable under Statutory authority.

Under the circumstances the Treasury Board direct that the said refund of five hundred and six dollars and fifty cents ($506.50) be made to George W. Allan and Frederick G. B. Allan, Executors of the above estate, and that a cheque for the said amount in favour of the said George W. Allan and Frederick G. B. Allan be issued forthwith.

Certified,

M. CURREY,

For Clerk Treasury Board.

TORONTO, July 22nd, 1909.

J. B. McLEOD, Esq.,
Solicitor to the Treasury.

RE ADELAIDE H. ALLAN ESTATE.

DEAR SIR,—Referring to the minute of the Treasury Board, dated the 15th inst., directing the issue of a cheque forthwith to the Executors of this estate for $506.50. I should be glad if you would inform me of the appropriation against which the cheque is to be drawn. An immediate reply will greatly oblige.

Yours truly,

J. CLANCY,

Auditor.

TORONTO, July 24th. 1909.

JAMES CLANCY, Esq.,
Provincial Auditor,
Parliament Buildings.

RE ADELAIDE H. ALLAN ESTATE.

DEAR SIR —Referring to your letter of the 22nd inst. I laid your request before the Honourable the Treasurer, who directs me to say that the sum of $506.50 may be paid to the executors out of the sum of $7,500 which was deposited by them on April 30th last.

Yours truly,
J. B. MCLEOD,
Solicitor to the Treasury.

TORONTO, July 26th, 1909.

J. B. MCLEOD, Esq.,
Solicitor to the Treasury Board.

RE ADELAIDE H. ALLAN ESTATE.

DEAR SIR,—I am in receipt of your letter of the 24th inst., and in reply beg to say that having regard to the provisions of section 12 of the Audit Act, 1908, and to clause (*c*) of subsection 1 of section 13 of the Audit Act, 1908, as amended by 9 Edward VII., Chap. 10, section 3, there would appear to be no course open but to renew the request contained in my letter of the 22nd inst.

It is well to make it clear that it is not now suggested that there is, or is not, an available appropriation or any particular appropriation against which a cheque payable to the Executors of the above estate for $506.50 might be charged, that has all been before the Treasury Board. There is no objection to issuing the cheque so soon as the appropriation against which it was presumably the intention of the minute of the Treasury Board that it should be charged is indicated.

Yours truly,
J. CLANCY,
Auditor.

MINUTES OF COUNCIL AUTHORIZING THE ISSUE OF SPECIAL WARRANTS FOR SERVICES DURING THE FISCAL YEAR 1909.

		Warrant.	Expended.
April 21st	Erection of a lock-up for the Mineral District of Gowganda Lake	$1,500 00	$2,938 57
" 30th	Miss A. M. Baldwin and Mrs. L. M. Baldwin-Cooke *re* losses of their father, late Col. C. J. Baldwin, in raising and equipping regiments during the rebellion in 1837-38	350 00	350 00
May 11th	Mackenzie, Mann & Co. for building a winter road between Selwood Station, on the C. N. Railway, and Gowganda Lake	2,000 00	2,000 00
" 11th	Lock-up at Englehart	150 00	150 00
June 4th & Oct. 28th	Thirty per cent. of collections on lots in the Town Plot of Gowganda, from sale of April 10th, 1909	5.560 47	5,560 47
June 10th	Miss Augusta Smith, granddaughter of the late Mrs. Laura Secord	300 00	300 00
" 15th	Allowance to T. H. A. Begue as Deputy Registrar, County of Wentworth, from August 1st, 1907, to December 31st, 1908	354 16	354 16
" 26th	Travelling expenses of Mr. A. W. Campbell, Deputy Minister of Public Works, and Mr. Andrew Broder to attend First American Congress of Road Builders at Seattle	600 00	570 34
July 20th	National Memorial Tower Fund, Halifax, Nova Scotia, which is to commemorate establishment in Halifax of the First Representative Assembly in any of the British self-governing Colonies	1,000 00	1,000 00
" 31st	Refund to the Rainy Lake Pulp & Paper Co.	5,000 00	5,000 00
Sept. 3rd	Fire in the west wing Parliament Buildings	25,000 00	4,119 61
" 24th	Expenses entertaining Lord Charles Beresford	528 00	528 00
Oct. 13th	Five thousand copies of the Armorial Bearings of the Province of Ontario	500 00	500 00
" 13th	Expenses in connection with the trip of the members of the Legislature to Cochrane to personally examine the railway and the country through which it passes	5,000 00	4,899 10
" 13th	Expenses of Members of British Association for the Advancement of Science to Cobalt and Sudbury to examine mines	200 00	200 00
" 26th	Firemen's and Police Benefit Fund, for services at fire, Parliament Buildings	400 00	400 00

MINUTES OF COUNCIL AUTHORIZING PAYMENTS IN EXCESS OF APPROPRIATIONS FOR THE FISCAL YEAR 1909.

May 27th	Purchase of land and general expenses for Hydro-Electric Power Commission	$130,000 00
June 15th	Grants to the different High Schools and Collegiate Institutes	5,200 00
" 15th	Grants to Continuation Schools	3,000 00
" 24th	Grants to teachers in affiliated Rural Public Schools	950 00
" 29th	Survey of timber berths, new districts	10,000 00
July 6th	Ritchie, Ludwig & Ballantyne for professional services *re* "Indian Treaty No. 3," and "Common School Fund"	2,717 50
" 6th	Toronto School Board, balance of amount as agreed upon	750 00
" 8th	Department Lands, Forests & Mines—Advertising	3.000 00
" 20th	License Branch—Contingencies	300 00
" 20th	Grants for Urban, Public and Separate Schools, Counties and Districts	5,500 00
" 22nd	Public Works Department—Contingencies	1.500 00
" 27th	Colonization Roads—Work on concessions 3 and 4, Township of Plummer	200 00
" 29th	Wolf Bounty	5,000 00
Aug. 12th	Purchase of lands and general expenses for Hydro-Electric Power Commission	200.000 00

Aug.	12th	Grants for Continuation Schools	1,964 00
"	12th	Payments to superannuated teachers	500 00
"	13th	Maintenance Normal School, Hamilton—Cleaning and scrubbing	150 00
"	13th	Normal School, London—Maintenance of Grounds	100 00
"	17th	Explorations and estimation of timber berths	5,000 00
"	26th	Grants for Rural, Public and Separate Schools—Counties	5,000 00
Sept.	1st	Enforcement of the Liquor License Act	8,000 00
"	4th	Registrar-General's Branch—Temporary services	948 45
"	7th	Master of Titles, Osgoode Hall—Travelling expenses	50 00
"	7th	Office of Inspector of Division Courts—Contingencies	300 00
"	21st	Maintenance Osgoode Hall—Furniture and incidentals	200 00
"	23rd	Construction of transportation lines and general expenses for Hydro-Electric Power Commission	400,000 00
"	25th	Ottawa School Board—Balance of amount as agreed upon	450 00
"	30th	Departmental examinations	4,500 00
Oct.	7th	Administration of Justice—District of Sudbury	3,000 00
"	7th	Survey of timber berths	3,500 00
"	7th	Surveys—Maps	1,000 00
"	7th	Education Department—Maintenance of grounds	300 00
"	14th	Legislative Library, purchases *re* losses by fire	1,270 00
"	14th	Refunds	3,200 00
"	14th	Crown Lands—Mining Recorders	4,500 00
"	19th	Crown Lands—Forest Reserves	25,000 00
"	19th	Erection of two bridges, Township of Bigwood	450 00
"	19th	Provincial Secretary's Department—Contingencies	4,668 28
"	19th	Automobile Constables	800 00
"	21st	Land Titles Office, Osgoode Hall—Clerical and stenographic assistance	192 00
"	26th	Audit Office—Contingencies	600 00
"	28th	Maintenance Osgoode Hall—Furniture and incidentals	568 24
"	29th	Administration of Justice—District of Thunder Bay	3,000 00
"	29th	Administration of Justice, District of Nipissing	3,300 00
"	29th	Administration of Justice, District of Rainy River	500 00
Nov.	2nd	Labour Bureau—Contingencies	1,087 38
"	2nd	Highways Branch—Contingencies	250 00
"	3rd	Bureau of Mines—Contingencies	1,000 00
"	3rd	License Branch—Contingencies	150 00
"	3rd	Office of Inspector of Division Courts—Contingencies	200 00
"	3rd	Drainage Trials Act—Contingencies	125 00
"	3rd	Maintenance Parliament Buildings—Repairs and cleaning	500 00
"	4th	Maintenance Normal School, Ottawa—Scrubbing and cleaning	50 00
"	4th	Erection of Dausey Bridge at Blind River	548 85
"	9th	General Administration of Justice in Counties	15,000 00
"	9th	Administration of Justice, District of Parry Sound	1,600 00
"	9th	Administration of Justice, District of Algoma	1,100 00
"	11th	Game & Fisheries—Miscellaneous services	1,600 00
"	11th	Root River Bridge, Township of Tarentorus—Advertising	20 00
"	11th	Attorney-General's Department—Contingencies	300 00
"	16th	Children's Aid Work	500 00
"	16th	Department of Agriculture—District Representatives	655 35
"	16th	Administration of Justice, District of Sudbury	2,700 00
"	16th	Agricultural College—	
		Fruit house	148 84
		Addition to boiler-house	60 58
		Renewal of boilers in greenhouse	80 00
"	17th	Survey of Abitibi Lakes	204 52
"	18th	Crown Lands Agents' salaries and disbursements	3,000 00
"	18th	Crown Lands—Fire ranging	13,000 00
"	18th	Survey of Abitibi Lakes	1,500 00
"	18th	Provincial Police	1,150 00
"	19th	Administration of Justice—District of Muskoka	50 00

INFANT MORTALITY

SPECIAL REPORT

BY
Dr. HELEN MacMURCHY
TORONTO

PRINTED BY ORDER OF
THE LEGISLATIVE ASSEMBLY OF ONTARIO

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TORONTO, April 25th, 1910.

HON. W. J. HANNA,
Registrar-General of Ontario.

SIR,—Acting upon instructions, I have the honour to submit the accompanying report of Dr. H. MacMurchy on Infantile Mortality.

I have the honour to be, Sir,
Your obedient servant,
THE DEPUTY REGISTRAR-GENERAL.

DR. CHARLES A. HODGETTS,
Deputy Registrar-General for Ontario.

SIR,—I have the honour to submit the accompanying Report on Infant Mortality, prepared under the instructions and by the permission of the Hon. W. J. Hanna, Provincial Secretary for Ontario.

I have the honour to be, Sir,
Your obedient servant,
HELEN MACMURCHY.

Report on Infant Mortality.

The field of modern medical research and labour is infinite in its possibilities, and the greatest of these are found in the domain of Preventive Medicine. Infant Mortality is the greatest problem of Preventive Medicine.

INFANT MORTALITY IN ONTARIO.

In the Province of Ontario, according to the last (thirty-eighth) Report of the Registrar-General, for the year 1907, the total number of deaths was 33,502, and the number of deaths under five years was 9,930. In other words, Infant Mortality is 29 per cent. of our total death-rate.

Compare with this the total number of deaths due to Tuberculosis in 1907, which is 2,530, or 8 per cent. of the total death rate. Not nearly enough is said or done about Tuberculosis, but what is said or done about Infant Mortality?

In the City of Toronto, in 1907, there were 1.313 deaths under one year of age, and the total number of births was 6,680. This gives an Infant Mortality rate of 196 per 1,000, approximately one-fifth, or 20 per cent. Is this true? Is the registration attended to?

AN EDUCATIONAL CAMPAIGN.

This is a record of which we have no reason to be proud, and which proves the need of an Educational Campaign which the Provincial Authorities, the Board of Health, the medical profession and the public, cannot too soon open.

THIRTEEN HUNDRED AND THIRTEEN WHITE COFFINS.

One out of every five of the children born in the City of Toronto is carried out of the home in the little white coffin before the year is out. Whose business is it to find out why? And this in a country where there is much room and much need for new citizens. The best of our new citizens are our children. The potential value to the country of these lives, which might easily be saved by proper maternal and medical care, is beyond price or computation. *Every year nearly Ten Thousand Children in Ontario,* under the age of five years, go to their graves. We would think ten thousand emigrants a great addition to our population. It is a question if ten thousand emigrants from anywhere would equal in value to us these ten thousand little Canadians of Ontario, whose lives are sacrificed to our carelessness, ignorance, stupidity and eager haste to snatch at less valuable things.

THE CENTURY OF THE CHILD.

The dawn of this century beheld "a great change in the opinions and modes of thinking of Society," and this, as John Stuart Mill once said, "always means an impending revolution in matters social and political." We are beginning to contrast "The petty done, the undone vast." And one of the signs of that revolution is our altered estimate of human values, and especially of the value of childhood. Obvious as the discovery is, we are only now discovering that Empires and States are built up of babies. Cities are dependent for their continuance on babies. Armies can be recruited only if and when we have cared for our babies. The Sanitarian has said that the infant mortality rate is the test of real sanitary sense and progress, and we do not seem to believe it. But we must come back to it.

The Twentieth Century is the Century of the Child. As the attending angels told the watching shepherds, "This shall be a sign to you," and that sign was a Child. In the matter of the nation's greatest asset—her children—we are beginning to see that the greatest nation, the nation that can count on continuance, is the nation who can say—"Ecce! Ego et liberi mei quos dedit mihi Dominus."

THE MASSACRE OF THE INNOCENTS.

But instead of making this glorious boast, what a Massacre of the Innocents we make.

"Herod sent forth and slew all the children that were in Bethlehem and in all the coast thereof, from two years old and under, according to the time which he had diligently enquired of the wise men."

"Then was fulfilled that which was spoken of by Jeremy the Prophet, saying —In Rama was there a voice heard, lamentation and weeping and great mourning, Rachel weeping for her children and would not be comforted because they were not." That was one of the world's tragedies, and one of the world's crimes.

HEROD OUT-HERODED BY MODERN CIVILIZATION.

But the crime of Herod is out-Heroded by the crimes of modern civilization. In Bethlehem then, as the commentators tell us, there were perhaps 1,000 inhabitants, and the slain children might number 20 or 30. The tragedy of Bethlehem pales before the tragedy of the Babylon of Modern Civilization.

The Modern City with its democratic government, its relief agencies, and its charitable organizations, is only too familiar with the tale of Infant Mortality. "Where the white hearse goes most often, there you will find the weakest places in your municipal housekeeping"—(Sherman C. Kingsley, Superintendent of the United Charities of Chicago).

GIVE THE BABY A CHANCE.

There is something wrong with the place where children die. It has been pointed out that in a modern city the new-born child has, on an average, less chance of living a week than a man of four score years and ten, and less chance of living a month than a man of four score. Give the baby a chance. Whoever is in fault when the baby dies, it is usually not the baby. Nature sees to it that even when the parents physically are not what they should be, the baby is, in 80 or 90 per cent. of cases, born healthy. Nature does her part, but we leave ours undone.

"The number of deaths of babies under one year of age is greater than the number of deaths from any other single cause or disease the world over.

"The National Government of the United States spends $7,000,000.00 on plant and animal health every year, and hundreds of thousands fighting beetles and potato bugs, but not one cent to aid the six million babies that will die under two years of age during the next census period while mothers sit by and watch in utter helplessness. This number could probably be decreased by as much as one-half. Why is nothing done? Charities have been organized in all countries to protect and relieve the poorer mothers; societies have been formed to provide pure milk to the mother and her babe; fresh-air funds have proved a magnificent help; societies to enable mothers to have a breath of the sweet country air answer many a need. With what splendid results have little ones in the care of ignorant, helpless mothers had these blessings. Many lives have been saved, but still statistics continue to show the appalling mortality. Why? Principally because the present efforts are in the nature of relief work and not systematic educational work—they lack practical medical supervision of infant health; they do not strike at the root of the evil conditions, the ignorance which mothers are so willing to admit, and the need for practical medical supervision, which is the crying necessity. Nothing so far proposed has materially reduced the death rate. Passive interest will accomplish nothing. Spasmodic conventions to discuss this momentous question will accomplish nothing. The question is, what is to be done, and how to do it?

"The saving of babies—the preservation of infant health, can be accomplished in only one way, and that is to awaken the active interest of everybody in the problem on behalf of the little ones, and then to join the hands of the mother, the family physician, the infant specialist, and the trained nurse in one grand effort to reduce infant mortality. The purpose is so high, so imperative, so humane, that it appeals to the common sense of everyone." (Mrs. Arnoldi, quoted by the American Committee of One Hundred on National Health.

WHAT WE KNOW ABOUT INFANT MORTALITY.

The Most Important Thing.

One thing we know about Infant Mortality. If the baby is nursed by its mother the chances are great that it will live. If the baby is fed in any other way the chances are great that it will die. This is putting it moderately, as the following facts will show. Of 300 infants admitted to the Dresden Children's Polyclinic in 1900 to 1901, there were 53 deaths. All the deaths, 53 in number, were among the bottle-fed babies. Among 93 breast-fed babies, during the same period, in the same hospital, there was not a death. Of children dying under one year, more than two-thirds die from gastro-intestinal diseases, in other words, from food-poisoning. When trade is depressed and work scarce, when wages are low, and employment intermittent, the rate of infant mortality drops. What explanation is there for that, except that the mother is at home and the baby is nursed, because good wages and easily got work do not tempt the mother to work outside her home?

In the Siege of Paris, 1870-1871, when the general mortality rate is said to have doubled, the infant mortality actually fell 40 per cent.

The same tragic and dramatic proof occurred during the cotton famine, and it occurs every time there is a big strike affecting women's work.

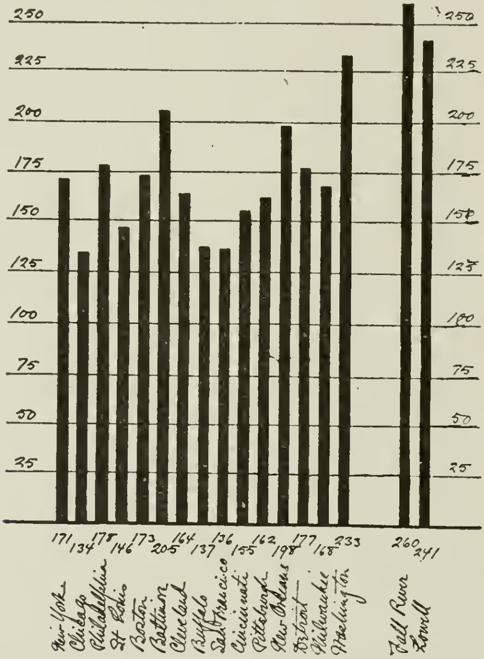
In July, 1909, the number of deaths of children under one year from gastro-intestinal diseases in the Borough of Manhattan, New York, amounted to 423, or 62.4 per cent. of the deaths of children under one year from all causes. During the month of August the number of deaths of children under one year from gastro-enteritis was 731, and from all causes 1,081, 67.6 per cent being due to intestinal disturbances. In the City of Berlin, Germany, in July, 1909, there were 913 deaths of children fed on cow's milk, and 86 deaths of children breast-fed. In August, 1,445 deaths occurred among the artifically-fed babies, and 76 among those maternally nursed. The Medical Officer of Health for Birmingham enquired into the deaths of 3,000 babies in Birmingham, and found of these 3,000 dead babies only 24 had been nursed at the mother's breast only. Mother's milk is the only really safe food for baby. The baby that has one chance for its life if fed on condensed milk would have two chances for its life if fed on good cow's milk, and one hundred chances for its life if fed on its mother's milk and nursed at her breast.

INFANT MORTALITY IN ONTARIO.

The following table gives the infant mortality in Ontario during the last ten years:—

—	Total births.	Total deaths all ages	Total deaths under 1 year including still-births.	Total deaths under 5 years.	Per cent. of deaths under 1 year to total deaths	Per cent. of deaths under 5 years to total deaths	Deaths under 1 year to 1000 births.
1898	46599	26370	5975	7967	22.658	30.212	128.22
1899	44705	28607	6342	8252	25.665	28.846	141.86
1900	46127	29494	7163	9152	24.289	31.030	155.28
1901	46061	29608	6543	8397	22.102	28.360	142.05
1902	47796	27864	6003	7987	21.543	28 656	125.59
1903	48742	29664	6700	8634	22.585	29.106	137.66
1904	50265	31290	6902	8513	22.058	27.206	137.31
1905	51911	31369	7694	9534	24.527	30.424	148.21
1906	51710	32782	8405	10088	25.632	30.772	162.54
1907	53584	33502	8041	9930	24.001	29.640	150.06

INFANT MORTALITY IN GREAT CITIES AND MANUFACTURING TOWNS WHERE WOMEN WORK.



*1. Deaths under one year of age per 1,000 births, as reported to census enumerators in 1900, in the fifteen largest cities of the United States, and in two manufacturing cities in Massachusetts.

Diagram 1 shows that great cities have a great Infant Mortality, and also shows that manufacturing towns where women work have a still greater Infant Mortality.

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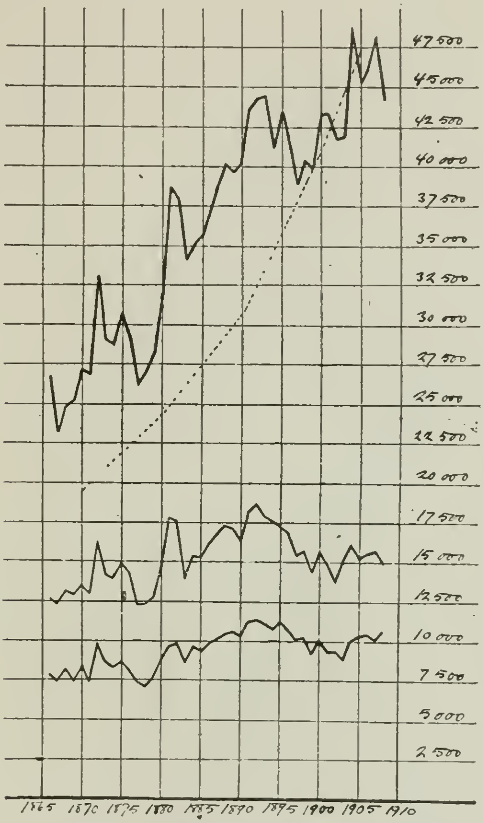
* Diagrams 1-10 are here republished by kind permission of Dr. Edward T. Devine, Editor of the *Survey*, and the American National Association for the Prevention of Infant Mortality.

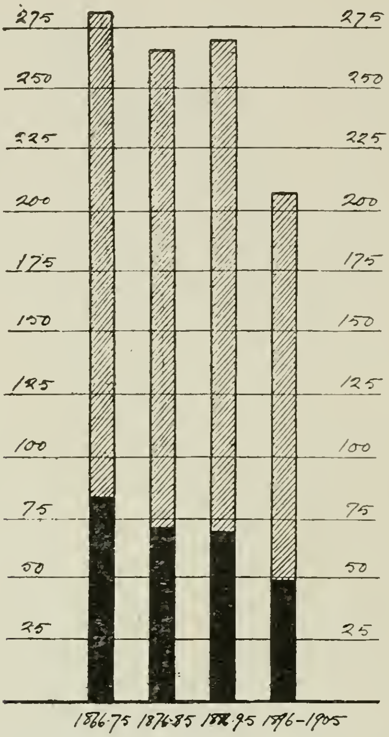
INCREASE OF POPULATION AND INFANT MORTALITY.



2. Deaths in Manhattan and Bronx Boroughs of New York City, 1866-1906:
Upper line: deaths at all ages.
Middle line: deaths under 5 years of age.
Lower line: deaths under one year.
Dotted line: population at census years, on a scale 50 times smaller.

Diagram 2 shows that Infant Mortality has not increased so fast as the population.

Improvement in New York Infant Mortality.



3. Average annual death-rates (per 10,000 population) in Manhattan and Bronx Boroughs for four decades. Entire column represents death-rates at all ages; the black part at the bottom, death-rates under one year of age.

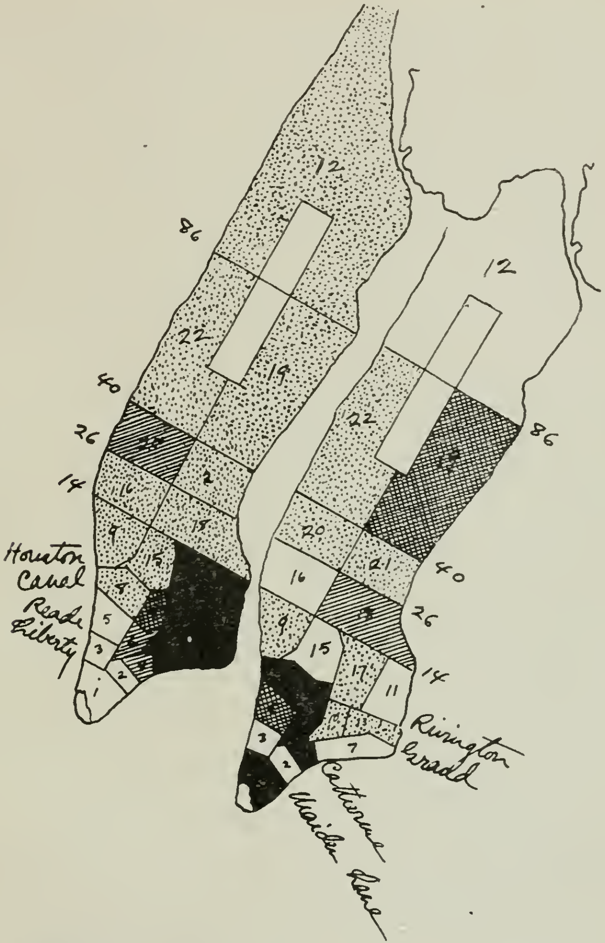
Diagram 3 shows that in New York Infant Mortality has decreased. Hard work on the part of the authorities brings it down. The New York Health Department works for the babies, and works hard.

General death-rate decrease, 1896-1905, 26 per cent.

Infant death-rate decrease, 1896-1905, 43 per cent.

There is another consideration as Dr Devine points out. The decrease in infant mortality occurred at a period when there was an enormous increase in the Jewish population. Had this anything to do with the improvement? Where do the Jews live? The next diagram answers the question.

THE JEWS AND INFANT MORTALITY ON THE EAST SIDE OF NEW YORK.



4. Manhattan, by wards.

A. Density of population in 1900.
Under 100 per acre: Wards 1, 2, 3, 5.
100-199: Wards 8, 9, 12, 15, 16, 18, 19, 21, 22.
200-299: Wards 4, 6, 20.
300-399: Ward 14.
400 and over: Wards 7, 10, 11, 13, 17.

B. Child mortality in the decade 1896-1905: average annual number of deaths under 5 years of age per 100.000 population of all ages.
Less than 700: Wards 2, 3, 7, 11, 12, 15, 16.
700-799: Wards 9, 10, 13, 17, 20, 21, 22.
800-899: Ward 18.
900-999: Wards 5, 19.
1,000 and over: Wards 1, 4, 6, 8, 14.

Diagram 4 shows that the lower part of Manhattan below 14th Street has a lower infant mortality than the upper part of Manhattan above 14th Street—and the Lower East Side of New York has a lower infant mortality than the Lower West Side.

But the sons of Jacob and all the tribes of Israel live on the lower East side.

RACHAEL IS A GOOD MOTHER.

Though Rachael herself never lost a child, it is remarkable that her name comes to the mind of the Sacred writer as the representative of the loving and beloved Hebrew mother. Rachael gave her own life for her child, dying when Benjamin was born. "And it came to pass, when her soul was in departing, for she died, that she called his name Benoni (Son of my Sorrow)."

The miraculous survival of the Hebrew race, ages after the very names of their oppressors have perished from the earth, is manifestly largely due to their proverbial attention to, and success in, their parental duties, and this diagram proves it.

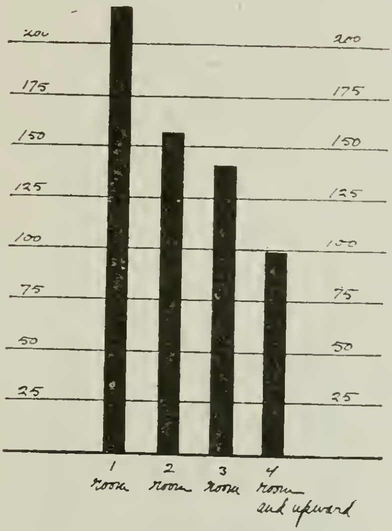
Congestion of population, fatal to the infants of other races, has been overcome in the Lower East Side of New York by the devotion of the Hebrew mothers to their children. It is well known that Hebrew mothers almost invariably nurse their children.

E. W. Hope, the Medical Health Officer of the City of Liverpool, and one of the greatest health authorities in the world, says: "I desire to add a few words in reference to the Jewish community, and for the purposes of my illustration I take fifty poor—some very poor—Jewish families, taken consecutively. The family earnings averaged from 10s. to 30s. per week. The points which stand out are, first, that in every instance the children are well looked after, all suitably clad, and not one ragged or barefooted child seen. Domestic dirtiness is uncommon, but even where it existed all the mothers seemed to realize their duty and act upon it. The beds were clean, and always a cot provided for the baby beside the mother's bed. Thriftiness and sobriety were universal; no drunkenness at all. A noticeable feature which always impresses the visitor is the attention given by the mothers to the children's food. In no single instance was the midday meal wanting; moreover, it is usually good and wholesome and prepared in a way which the children relish. It must be remembered that some of these families were in receipt of relief from the Jewish Board of Guardians."

Nor are the Hebrew women left alone to bear more than their share of family cares. Jewish men are at home a good deal. It is pretty safe guessing to say that doctors see more of Hebrew husbands and fathers than they do of any other nationality. They watch their families. As a rule, when the mother has to go to the hospital with some thought of an operation her husband goes with her. In a recent operation at Toronto General Hospital for ectopic gestation—a condition the danger of which is not always easy to explain to the husband so as to secure his consent to instant operation—the chief surgeon expressed a wish to send for the husband. There was no need to send, he was downstairs at the moment, and when he was told of the favourable result of the operation, he fervently said: "I am very thankful to God and to Dr. R."

Far away from Galilee, from Judea and from Jerusalem, so far on the other side of Jordan that they may scarcely know the names of the places which were the cradle of their race, in the depths of grinding poverty, not only submerged but struggling for existence at the bottom of such a pit as is digged for their feet by the lowest conditions of life in a great city, still are the Jewish parents true to the traditions of their race, and still does the Jewish mother save her children, too often, alas, as her physicians know, by the sacrifice of herself.

OVERCROWDING.

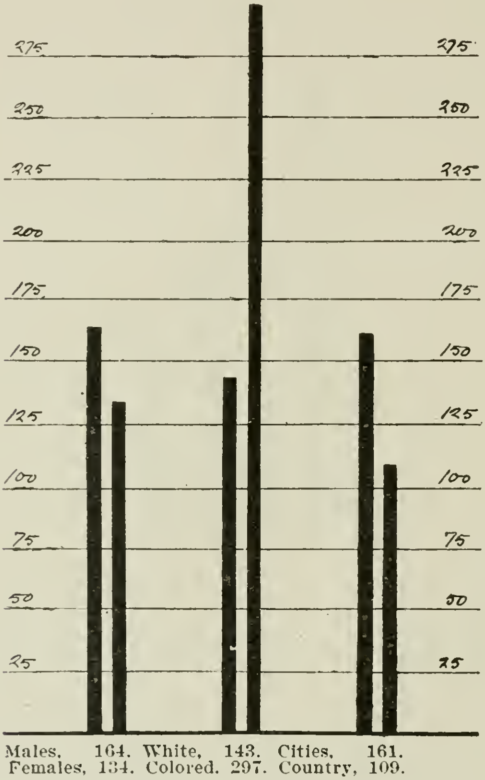


5. Infant mortality per 1,000 births in the Metropolitan Borough of Finsbury, 1905, classified according to the number of rooms occupied by the family.

But as Diagram 5 shows, when a family lives in one room, the result is very fatal to the baby.

In Berlin, 1903, Newman investigated 2,701 infant deaths. Where the families were in one-room dwellings he found 1,792 deaths; in two-room dwellings, 754 deaths; in three-room dwellings, 122 deaths. and in larger dwellings, 43 deaths.

MALE AND FEMALE—BLACK AND WHITE—CITY AND COUNTRY.

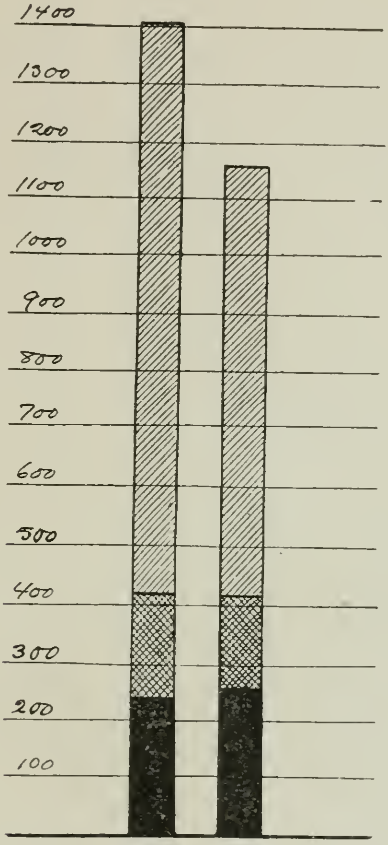


6. Deaths under one per 1,000 births in the registration record of the United States, 1900.

Diagram 6 shows that male infants have a higher infant death-rate than female infants.

Also that the poverty and ignorance of the black race doubles infant mortality, and finally that the country is a better place for babies than the city.

City and Country.



	London	Rural Counties.
Under 1 year ...	1,403.0	1,158.8
Under 1 month .	417.5	414.6
Under 1 week ..	240.5	258.8

7. Infant mortality rates per 10,000 births in 1902, in London and certain rural counties.

Diagram 7 shows that, except in the first week of life, the country is a safer place for babies than the city. The figures for the first week are probably explained by the fact that medical assistance is easier to get in the city.

When we consider the remarkable tendency to urbanization in modern life, this matter will be seen to be of great moment to the infant mortality rate.

Sixty years ago in England, 75 per cent. of the population was rural, and 25 per cent. urban. But now the conditions are reversed; 25 per cent. is rural and 75 per cent. urban. City conditions must be thoroughly studied by those interested in Infant Mortality. The same conclusion is forced upon us by a study of the following tables, by Dr. Newman.

When we remember that our industries in Ontario are mainly agricultural, we should not have such a large infant mortality as 150 per 1000.

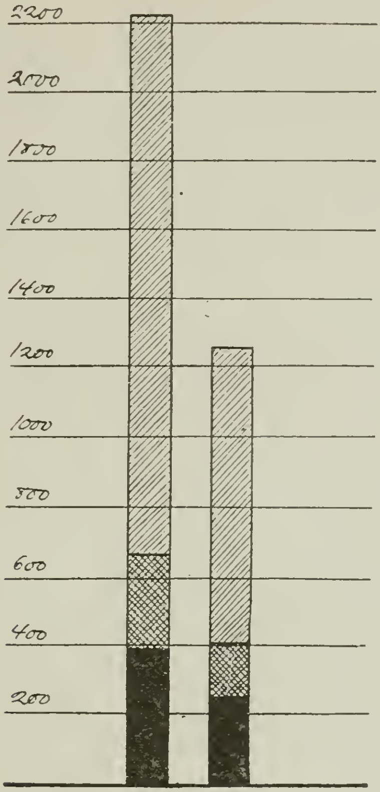
TABLE 1—INFANT MORTALITY RATES IN WILTSHIRE AND ENGLAND AND WALES, 1900-1904.

Districts.	1900	1901	1902	1903	1904
County of Wiltshire	94.0	93.7	97.23	85.63	95.99
Urban Districts (Wilts)	95.6	106.8	93.63	89.27	100.32
Rural Districts (Wilts)	115.7	83.8	99.89	82.76	92.52
England and Wales	154.0	151.0	133.0	132.0	145.0
Large towns in England	172.0	168.0	145.0	144.0	160.0
Rural England and Wales	138.0	137.0	135.0	118.0	125.0

TABLE 2.

Age.	Of 100,000 infants born, the number surviving at each age.			Annual death rates per 1,000 living in each successive interval of age.		
	Three rural counties: Herts., Wilts., Dorset.	Five mining and manufacturing counties; Staffs., Leic., Lancs., W. R. Yorks, Durham.	Three selected towns: Preston, Blackburn, Leicester.	The three rural counties.	The five mining counties.	The threee towns.
At birth	100,000	100,000	100,000	213	331	382
3 months	94,820	92,051	90,874	75	154	240
6 months	93,068	88,574	85,574	61	128	180
12 months	90,283	83,081	78,197	....	....	....

LEGITIMATE AND ILLEGITIMATE.



	Illegitimate.	Legitimate.
Under 1 year ...	2,234.9	1,250.2
Under 1 month .	666.1	404.5
Under 1 week ...	387.6	242.6

8. Infant mortality rates per 10.000 births among illegitimate and legitimate children in London and certain rural counties in 1902.

Diagram 8 shows that the Infant Mortality among illegitimate children is greater than among legitimate children. The illegitimate child is not so well taken care of, and Infant Mortality is a question of education, care and comfort. One English writer states that in the aristocratic classes of England 10 per cent. of the babies die in the first year. In the middle classes of England, 21 per cent. of the babies die in the first year. In the working classes of England, 32 per cent. of the babies die in the first year.

THE MOTHER VS. THE INSTITUTION.

It is a poverty question largely.

Everything we can do to increase efficiency and prevent poverty, will prevent infant mortality too. And it is through the mother that infant mortality can be prevented. Institutions for infants, Creches, Day Nurseries, Infants' Homes, are not at all the best solution of the problem of Infant Mortality among the poor, deserted and unfortunate. They have been established by the best and kindest people, and with the best intentions; but when they take the baby away from the mother, they sign the baby's death warrant.

Instances were given by Mr. Homer Folks, of the recent Conference on Infant Mortality at Yale University, New Haven, of Infant Asylums where the death-rate was 85 per cent. We pridefully plan to set up an Orphan Asylum or a Foundling Hospital or an Infants' Home. *We cannot do what the mother can.* Nature spurns our false ideas of putting babies in institutions. Her one institution is the home, and a home must be made for the baby. As Kipling says of the Cave Dwellers, "They went to another cosier cave when the baby came." The institution has been tried and found wanting.

"I do not hesitate to say that the results of a rather careful study recently carried on (to which, I am glad to say, the Institutions have carefully lent every assistance) shows that in the very best of such Institutions and under the most favourable circumstances, not more than 50 per cent. of the children admitted for permanent care survive, while in other cases the percentage still runs much higher.

"The reason for this has become clear. It is not that the infants are neglected or uncared for; it is not that the Institutions are not humanely administered; it is the fact that the infant is deprived of its natural food. Artificial feeding is what kills babies in infant homes. The New York City Health Department, in its campaign to prevent infant mortality, says, 'Ten bottle-fed babies die to one that is breast-fed.' The conclusion is unescapable that the deliberate separation of a nursing infant from its mother in the vain hope of saving some one's good name, or, rather, to save his feelings, is to deliberately incur a most serious responsibility, and is to become an accessory to a process which in 50 per cent. or more cases results in the child's death."—*Homer Folks.*

Married Women's Labour.

Even such excellent institutions as Creches and Day Nurseries, do, to some extent at least, encourage the mother to work. On the other hand this should be the very last resort.

"The best and most paying job that the community can set any mother at is that of raising her own child to the highest pitch of efficiency and intelligence. Some day we will have sense enough to pay her to do it and feed herself well in the process; though the ultimate, most desirable and permanent solution would be to give higher wages to the father."—*Woods Hutchinson, M.D.*

Dr. Woods Hutchinson might have added to the above, to make the father worth higher wages. That is another great difficulty. But any man who does useful and necessary work, such as driving a street car, digging drains, or delivering letters, should be paid enough to allow him to marry and support a family. The mother's labour outside the home, as John Burns says, is "an individual mistake, a social tragedy, a commercial blunder." It makes the idle husband, "buttressing a beer-shop, or French-polishing the outside of a public house." And he goes on to say, speaking as an authority on the wage question, "The combined wages of husband and wife do work out rarely equal to the remuneration of the man who is determined to have a standard of comfort that will keep his wife at home and himself at work."

Dr. George Reid, in 1906, speaking in London, at the National Conference on Infant Mortality, divides the working class into three divisions, according to the question of the mother's work: 1. Those among whom the proportion of employed, married and widowed females between eighteen and fifty years of age reached or exceeded 12 per cent. 2. Those among whom the proportion was 6 to 12 per cent. 3. Those among whom the proportion was below 6 per cent. The decades 1881 to 1890, 1891 to 1900, and four years, 1901 to 1904, were studied. The infant mortality was always highest in group 1 and lowest in group 3. The average yearly infant mortality rates of group 1 were, per thousand, 195, 212 and 193; group 2, 165, 175, 156; group 3, 156, 168, 149.

THE MOTHER WORKS, AND THE BABY DIES.

Where the mother works, the baby dies. Nothing can replace maternal care. The destruction of the poor is their poverty.

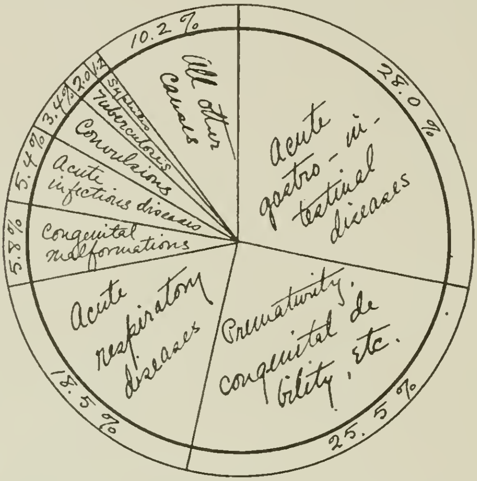
Helle examined into the social status of parents of 170 infants dying in Gratz during 1903 and 1904; 112 infants who died had very poor parents; 49 children had poor parents; 9 had well-to-do parents, and no deaths occurred among the children of the rich; the percentage of the four classes being 65.9, 28.8, 5.3, none.

A supreme objection to the mother being compelled to work, is that she cannot nurse the baby if she works. (See also Diagram 10.) We all know and we should impress it upon any one with whom we have any influence, or for whom we have any responsibility, that the way above all others to save the baby and reduce Infant Mortality, is to see that the child is being nursed by the mother, and any occupation that prevents this or makes it hard, is a direct cause of Infant Mortality.

THE ILLEGITIMATE CHILD.

Then comes the question of the illegitimate child. Who is to blame? The community certainly. What have we done to rebuke and uproot vice, to protect virtue, to foster manliness and womanliness? The church cannot escape blame, nor the medical profession, nor the merchant or manufacturer, unless we can show that we have done something at least to remove temptation and to lessen wrong conditions. The grandparents presumably are to blame. They are usually the very ones who have the child kept away from the mother and out of sight. The father and mother beyond question are to blame. The only one who is really innocent of blame is the poor baby, and yet on that little child the heaviest penalty falls. It would surely be better for the community to provide, as far as possible, that the mother should nurse her own child and care for it at least a year. There are some societies and institutions which insist on this, but until we are willing to care more for the baby's life than for our own dislike to hear such things mentioned, so long the illegitimate child will die, and its blood will be required at our hands.

CAUSES OF INFANT MORTALITY.



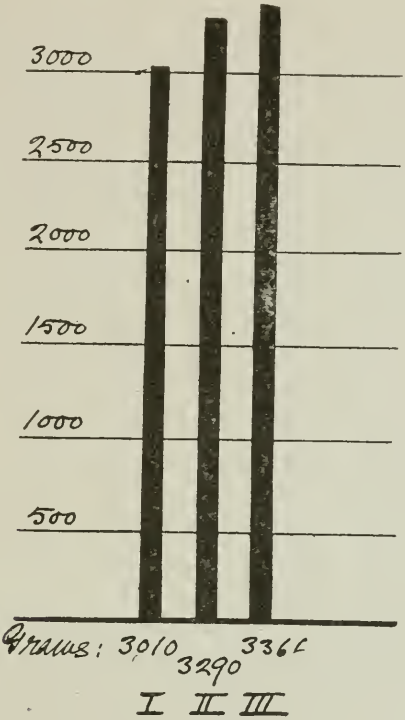
9. Causes of infant mortality. From a classification of the causes of 44,226 deaths under one year of age in New York, Philadelphia, Boston and Chicago, in a lecture by Dr. L. Emmett Holt in the course on Sanitary Science and Public Health in Columbia University, 1909.

Diagram 9 shows that the Causes of Infant Mortality are very largely preventable, perhaps 75 per cent. may be set down at once as preventable.

INFANT MORTALITY PREVENTED.

At least 50 per cent., and probably 60 per cent., or even 80 per cent., of Infant Mortality, is preventable. The proof of this statement is that it has been done. It was done in 1907 by a Parish Priest in the Province of Quebec, who cut the Infant Mortality of his parish in two. It was done by Mr. Benjamin Broadbent, the Mayor of Huddersfield, whose personal efforts, including the famous Mother's Promissory Note, reduced the Infant Mortality of Huddersfield 50 per cent.—and it was done in Hertfordshire, where the Infant Mortality in 1908 was 79 per thousand, about half what it is in Ontario.

CARE FOR THE MOTHER-TO-BE.



10. Average weight at birth:

I. Of 500 children whose mothers worked up to the day of confinement.

II. Of 500 children whose mothers spent ten days before confinement in a pre-maternity home.

III. Of 500 children whose mothers spent more than ten days in a pre-maternity home.

Diagram 10 shows a good way to prevent Infant Mortality. Take care of the mother, and save the child that is soon to come.

Another illustration is given by John Burns. North Staffordshire is a district where many married women work. South Staffordshire is not.

—	North Staffordshire.	South Staffordshire.
Abnormalities at birth per 1,000	15	6
Still-births per 1,000	9	3

INFANT MORTALITY IN RELATION TO THE SIZE OF THE FAMILY.

It is well known that where there is a high birth-rate, there is also a high Infant Mortality, and in a study of 160 families of the poor, wage-earning class (parents foreign-born in 97 per cent.), Dr. Alice Hamilton, of Hull House, Chicago, shows that the Infant Mortality of the families having six children, was 2 1-2 times that of the families having four children or fewer.

THE PRODUCTS OF INJURED INFANCY.

Infant mortality has another aspect. Where one dies, many are maimed for life. The unemployable, the useless, the hopeless, the feeble in body and mind, are simply "the matured products of injured infancy." Much loss of life means much loss of health and vigour. And when we have found and put into practice proper measures to prevent loss of life in infancy, we shall have prevented the permanent loss of health and strength in many of the survivors.

The Report of the Registrar-General of England, for 1903, shows for England and Wales, 51.4 per cent. of infant deaths in the first three months; 19.9 per cent. in the second three months, and 28.7 per cent. in the last six months in the first year of life. In the year 1904, in Berlin, 53.6 per cent. of deaths of infants under one year occurred in the first three months. They die in the first three months because of insufficient vitality or of insufficient care. But of the survivors, how many are really fit to live?

INFANT MORTALITY IN OTHER COUNTRIES.

We must go to Egypt and the East for the highest Infant Mortality. In Egypt it is 283 per thousand.

In Alexandria, in 1907, 319 per thousand; while in Chili, it is 326, and Russia, 268.

Grabam states that, in 1903, the infant mortality of France was 137. In the previous twenty years it was 167, and yet this death-rate ought to be still more greatly reduced, for we know that Ireland has an infant death-rate below 100. Norway, in 1902, had an infant death-rate of 75, and Sweden, 107 per 1,000. Belgium has now a rate 155 per thousand, Italy 172, and Germany 204.

INFANT MORTALITY SLOWLY DECREASING ELSEWHERE.

Four years ago it was truly said that in spite of all our progress, infant mortality remained stationary. It is not so now in England, France, Germany and the United States. In many places infant mortality has been reduced one half.

In France, 1874 to 1893, the average infant mortality was 167 per thousand. Ten years later, in 1903, it was only 137 per thousand. In Paris it was only 101; Paris has the smallest birth-rate and the lowest death-rate of any large European city.

IN THE UNITED STATES.

Grabam says: "That a general propaganda against infant mortality has been vigourously pushed all over the United States is shown by the census, 1880 and 1890. In 1880 the general infant mortality of the United States was 246 per thousand; in 1890 it had fallen to 159 per thousand, and during the same period it is gratifying to note that the infant mortality in cities decreased from 303 to 184 per thousand. This is surely a record to be proud of."

INFANT MORTALITY IN CHARLOTTENBURG.

The mortality of children for the first year of life reckoned for 100 living, amounts to 12.5. The following figures show the gradual reduction of mortality in Charlottenburg. For 1880: 33.67; 1885: 28.75; 1890: 25; 1895: 22.60; 1906: 14.16 for 100 born living. And still this is ten times as great as the general death-rate.

INFANT MORTALITY IN HERTFORDSHIRE.

In 1908 the infant mortality for Hertfordshire reached 79.0, the lowest figure it has yet touched. With slight setbacks in 1904 and 1906, it shows a steady decline. But the low figures of the last two years have been partly due to the weather. Only in 1903 has the number of deaths from diarrhoea been previously so low; and, last year, although there were eleven more infant deaths from this cause than in 1907, there were still 81 fewer than in 1906. In this connection, Mr. Francis Fremantle, C.M.O., writes: "A hot, dry summer will again raise the rate. Moreover, we have no reason for satisfaction in the loss of 80 infants out of 1,000 born. In England and Wales, the rate until recently was a little lower than in 1850, the highest rate being that of 163 in 1899; and only 40 infant deaths out of every 1,000 births can be considered strictly non-preventable."

INFANTILE MORTALITY IN HUDDERSFIELD.

There is the bright example of Huddersfield, which, in 1891, had an infant mortality of 184 per 1,000, and in 1907, 97 per 1,000. Bristol's infant mortality in 1891 was 184 per 1,000, and in 1907, 98 per 1,000. The parish of Battersea, in the same period, doubled its population and reduced its Infant Mortality from 176 to 115 per 1,000, and in some districts of Battersea, the infant mortality was as low as 52 per 1,000. In 1891, in Westminster, out of every 1,000 infants born, 164 died before reaching the first anniversary of their birth, but in 1900 the number was reduced to 148, and in 1908 it was 103.

INFANT MORTALITY IN ENGLAND AND WALES.

The following tables show the Infantile Mortality since 1850 for England and Wales. It will be seen that more progress has been made in the last five years than in fifty years previously:

Years.	Death rate per 1,000 population.	Deaths under one year per 1,000 births.
1851–1855	22.6	156
1856–1860	21.6	151
1861–1865	22.5	151
1866–1870	22.4	156
1871–1875	21.9	153
1876–1880	20.8	144
1881–1885	19.4	138
1886–1890	18.8	145
1891–1895	18.7	150
1896–1900	17.6	156
1901	16.9	151
1902	16.3	133*
1093	15.4	132*
1904	16.2	146

* Unusually favorable meteorological conditions. The summer was neither hot nor dry.

INFANT MORTALITY IN EACH OF THE YEARS 1904 TO 1908.

Deaths under one year to 1000 births in the years.

	1904	1905	1906	1907	1908
England and Wales	145	128	132	118	121
76 great towns, including London	160	140	145	127	129
London	145	130	131	116	113
142 smaller towns	154	132a	138	122	124
England and Wales, less the 218 towns	125	113b	116	106	110

From "Parliamentary Intelligence" in *The Lancet*. Dec. 11, 1909.

INFANT MORTALITY IN THE FIRST NINE MONTHS OF THE YEARS 1904 TO 1909.

Deaths under one year to 1000 births in the first three-quarters of each of the years.

	1904	1905	1906	1907	1908	1909
England and Wales	149	131	135	113	115	106
76 great towns, including London	165	142	148	118	123	114
London	149	129	133	110	110	104
142 smaller towns	157	136a	140	118	117	107c
England and Wales, less the 218 towns	127	116b	117	104	105	97d

a., 141 small towns ; b.. less 217 towns ; c., 143 small towns ; d., less 219 towns.

From "Parliamentary Intelligence" in *The Lancet*, Dec. 11, 1909.

WHAT IS DONE IN OTHER COUNTRIES.

FRANCE.

In 1904 Madame Coullet (with a capital of 10 francs) began a Restaurant in Paris, where any poor mother, who shows that she nurses her child, receives every day two good meals, free. These meals are given at 11 to 1 in the morning, and from 5.30 to 7.30 in the evening. Anyone applying also received soup, bread and cheese between 8 and 9 a.m. As M. Coullet says:

"At every meal they get soup as much as they desire, then lentils, beans, potatoes, cabbage or macaroni, as much as they wish to have. Bread, of course, in the same manner, and meat, mostly beef, sometimes veal and pork. A pound of meat is allowed for six or seven persons. Then they get cheese or a stick of chocolate." There are now five Coullet Restaurants, one has given 100,000 free meals, and all have saved many lives.

There are other efforts made in the same direction, and among these are the Consultation de Nourrissons, and an off-shoot from it called the Goutte de Lait, which is really a milk dispensary from which infants are fed under medical supervision upon sterilized milk, and where breast-feeding is encouraged, as far as possible, though many of the children are those for whom breast-feeding is impossible.

The Consultation, on the other hand, is attached to a Maternity Hospital, where the expectant mother is placed, and after she leaves the Hospital, she is required to bring the child every week to the dispensary, where it is seen by a doctor, weighed, all the particulars about it recorded, and, if necessary, sterilized milk is given. But breast-feeding is earnestly encouraged. At the Clinique Tarnier, 527 children were under supervision for two years, required by the rules, and 448 were nursed by the mother.

UNITED STATES OF AMERICA.

In the United States, great efforts are now being made to reduce Infant Mortality, and, as we have already seen, nowhere more successfully than in New York and Chicago.

In the first place, wherever you improve general conditions, you reduce Infant Mortality. The infant death-rate is the best test we have of the general sanitary conditions of any city. Improve the water supply, the sewerage system and the system of disposing of refuse, introduce better pavements, such as asphalt, and at once there is a decline in Infantile Mortality. Since the tenement houses have been better inspected, and more open spaces provided, and free ice has been available for some of the poorest mothers, and anti-toxin supplied by the Board of Health, and Sea-Breeze and other places for New York's poor children to get the ocean air, have been founded, of course the Infant Mortality is less. Above all, something has been done to improve the milk supply. First, sterilized milk; second, pasteurized milk; third, clean milk. And every one of these plans has been good. Every one has helped.

Here is the mortality at the Infant Asylum at Randall's Island for three years before, and six years after, a pasteurization plant was installed by the Hon. Nathem Strauss:

BEFORE PASTEURIZATION.

Year.	No. of Children Treated.	No. of Deaths.	Death Rate per cent.
1895	1,216	511	42.02
1896	1,212	474	39.11
1897	1,181	524	44.36

AFTER PASTEURIZATION.

Year.	No. of Children Treated.	No. of Deaths.	Death Rate per cent.
1898	1,284	255	19.80
1899	1,097	269	24.52
1900	1.084	300	27.68
1901	1,028	186	18.09
1902	820	181	22.07
1903	542	101	18.63

In Boston, last summer, as described in a recent number of *Hygiene and Physical Education,* the milk stations were managed by the Committee on Milk and Baby Hygiene. A trained nurse, who gives all her time to the work, is attached to each station.

"Milk is obtained from clean, fresh farms, under the supervision of the Committee, the equipment and the employees being under their rigid inspection.

The milk is furnished at cost (8c. per quart) to pregnant women, to nursing mothers, to children old enough to take whole milk, and for home modification to those mothers capable of learning how to modify the milk at home. Milk properly modified in a well-equipped laboratory under the direct supervision of a physician and a bacteriologist is also supplied, at cost (at the rate of 4 1-2c. per pint), in a suitable variety of formulæ.

No milk is furnished to sick babies without a physician's prescription, and the Committee's physicians, who meet the mothers in the Consultations, carefully avoid treating any sick babies, but refer them, instead, to the family doctor or to a hospital or dispensary. It is felt that it would be in the highest degree improper to allow the Consultations to become Clinics, inasmuch as the existing agencies of relief for the sick babies of the poor in Boston are already ample. The work of the Committee is prophylactic and educational—cultivating a field peculiarly its own and hitherto untilled—and a sharp distinction is to be kept between it and the work of existing agencies for the relief of sick babies. This attempt at solving the problem of Infant Mortality attacks that problem nearer its root and strives for that prevention which is better than cure, while furnishing, in addition, the means for making sick babies well, so far as proper food and instruction can go, in co-operation with the family physician and the Clinic. In this way duplication of relief agencies is effectually avoided and co-operation in all ways is made thoroughly practicable. Milk is furnished to well babies only after an examination of the mother shows that she is unable to nurse, or that she has not enough nourishment for her child. Where the mother has insufficient milk every effort is made to conserve and to increase what she has. Detailed directions are given her by the physician in charge of the Conferences how best to increase the flow, and milk is furnished *for the mother,* as thus an economic saving is effected, because two individuals receive nourishment. The value of the educational influences thus set in motion, for the present and for the future, is incalculable.

It is found not infrequently that a mother applies for milk for her infant, when upon examination she is shown to have an abundant supply of breast-milk, but owing to the necessity of earning her and its living she must wean the baby and go out to work. For these cases the Boston Provident Association furnishes a pension so that the mother may remain at home and nurse the infant. This is one respect in which the Boston work excels, it is believed, that of any similar organization in the world.

Finally, for those babies who need supplementary or exclusive artificial food, or who come with a physician's prescription, milk is furnished and this milk is given out daily by the trained nurse in charge of the station. Ice is also supplied to those who are unable to secure it, in order that the milk may be kept cold at home. Inexpensive ice-boxes devised for this purpose can also be obtained at cost at the stations.

An outfit for the home modification and pasteurization of milk has been prepared and will, together with simple printed directions, be furnished at cost to the mothers at the stations.

All mothers who secure milk at the stations are required to bring their babies once a week to the Conferences or Consultations. To these Conferences are also encouraged to come expectant mothers and the older girls, who in many cases are obliged to be "little mothers," to the younger children. This has seemed advisable in order that the benefit of the instructions given may have a wider circle of usefulness.

The Consultations usually, but not always, begin with a short general talk to those present. This is not always practicable and sometimes the general remarks are deferred until the end or omitted altogether. Individual attention is considered much more important. Sometimes a demonstration is given instead of the talk. In the talks brevity and clearness are aimed at. They are given by physicians who speak in the native tongue of the mothers present. The language used is as simple as possible and only the most important points are emphasized, all unnecessary details being omitted. An attempt is made to give the reasons for the advice and illustrations are used which are likely to appeal to the common sense of the mothers. They are then encouraged to ask questions, however simple, and it is in this way that some of the most valuable points are brought out and enforced. Regularity of feeding, bathing, clothing, fresh air—these are some of the topics dealt with. A talk would run somewhat as follows: "A large number of babies die every year in Boston from 'summer complaint.' Most of these babies could be saved if the mothers knew just how to feed and care for them. That is what we have come here for, to tell you how to care for your baby. Ask questions of the doctor, not of some neighbour. The doctor has studied babies for many years and his advice is safe to follow. That of the neighbour may not be.

"Do not dress your baby too warmly in the hot weather. Have the clothing thin and light. Consider it as drapery rather than clothing. The baby will not 'catch cold,' if the clothing is reasonably light.

"Let the baby kick. Have the arms and legs free. Babies love to kick. That is the way they get the exercise they need. Do not bind up the chest. If the chest is bound tightly the baby cannot breathe easily.

"Bathe the baby every morning in lukewarm water and in hot weather sponge it off two or three times each day.

"Don't allow the napkins to remain on the baby after they are soiled. If you do they will make the skin red and sore.

"Every mother should try to give her baby the breast. It is better for the mother as well as better for the baby. Ten babies die on the bottle to every one on the breast. Even if you have enough for only two or three feedings, still give the breast and help out with the bottle.

"If you have to give the bottle be sure that you keep the milk cold until you are ready to warm it for the baby. Be sure to keep everything very clean. If the bottles and the nipples are not clean the baby may get sick and may die.

"In feeding the baby have the baby in the right position. The nurse is showing you how to place the baby to be fed.

"Feed the baby regularly. If you do not you will upset the child's stomach. How would you like to have your meals every hour? You would soon lose your appetite and detest food. It is easier to upset a baby's stomach than a grown person's. If the baby cries he may not be hungry—he may be thirsty. Give him water. He needs it. But give no milk except at the times ordered. If he doesn't take it all in 20 minutes take the bottle away. And don't use what is left in the bottle. Throw it away and use fresh milk next time. If the baby is asleep when the time comes to feed him, wake him to be fed.

"Do not give the baby tea or coffee, or a 'taste' of the things you have to eat. One taste may give the baby diarrhoea and from the diarrhoea it may die.

"If the baby has green movements it is sick. Stop feeding and give water instead and take it to the doctor. Don't wait because your neighbour tells you it is only the teeth. It probably isn't the teeth, but the food. Get advice from the doctor.

"Here is a baby that has gained only 3 ounces in the last 2 weeks. This baby has been fed every hour. That is wrong. The mother was told to feed the baby every 2 hours, but she thought he was hungry and fed him every hour and he has not gained. If she will feed the baby every 2 hours he will gain faster. Let us see how much he will gain by next week.

"Here is a baby that is vomiting. It is on the breast. The mother has no regular time for feeding but gives him the breast every time he cries. He cries all the time. He is a very fussy baby. He should be fed regularly every two hours. The mother is going to try regular feeding and let us know next week how the baby has improved.

"This baby is 6 months of age. He has a severe diarrhoea and is 'vomiting everything he eats.' He looks sick. His mother goes out to work and his older sister cares for him. The day before yesterday, she gave him a taste of ice cream from one of the little cones that the children buy. The baby liked it so well that he was given seven of them, which he ate, one after the other. That is why he is now sick. You should not give your young babies such things to eat. You should give nothing but milk except by the advice of the doctor."

The demonstrations consist of the method of bathing and sponging the baby, the cleansing and care of bottles and nipples, the preparation of barley water, and kindred subjects.

The value of the social interchange of experience among the mothers themselves is an important item to be considered.

At each Conference each baby is stripped, weighed by the nurse and examined by the physician and records made of the weight and the condition. Valuable lessons are learned from these records. If the child is gaining properly, the mother is encouraged to persevere. If the gain is not sufficient or the baby is vomiting or having diarrhoea, an effort is made to find out the cause and to remove it. Mothers are constantly found who give their infants tea, coffee, bread, cake, soup, beer, and wine. Special instruction of each mother is aimed at in these Conferences and individualized advice is always given. This necessitates in some cases long hours for the physicians and nurses, but so great is the interest manifested in the work that all the time necessary is ungrudgingly and gladly given. The nurses spend the time which they have free from the dispensing of the milk and from the Consultations in visiting the homes of the patients and seeing that they do actually carry out the advice given by the physician. They give the mothers instruction and show them how to do the necessary things at home. One nurse got so interested in a weak baby, whose mother was absolutely incompetent, that she visited the house regularly three time a day for several weeks. Without her devoted care the child must have died. In fact without the conscientious follow-up service of a well-trained nurse, this whole plan would lack a great part of its efficiency.

A large printed card of instructions has been prepared and distributed in the homes. This is issued in three different languages. Printed slips of directions in several languages have also been prepared and are in use.

A model set of infants' clothes is on exhibition at each station, so that mothers may copy them.

The nucleus of a reference library on infant mortality and the effect of milk thereon, and of the milk stations in reducing it, has been formed, and contributions are requested of books, articles and reprints, which will be kept properly arranged and indexed, and will be available to physicians and all others interested. The need of such a collection is self-evident.

It will be seen on reviewing the necessary means for diminishing infant mortality as deduced from the known facts at our command, that this movement supplies them all. Education of the prospective mother, of the mother, of the dairyman, of the public; help in the nutrition of the expectant mother; guidance of the mother in her treatment of the new-born babe; encouragement of breast-feeding; furnishing where necessary of a pure milk properly modified, drawn under proper conditions from healthy inspected cows; continual oversight of the infant, with advice ready when needed to prevent illness; continual, educational, uplifting influences, at the Conferences and in the homes; all these this system supplies in the most logical and direct way.

It would seem that such should appeal to every person interested in the betterment of his fellows. It is not an untried system, but has been operated successfully in other cities.

The enthusiasm that soon pervades everyone brought in close contact with this work is one of its most remarkable features and vistas of its immense possibilities are "opening more widely, more surely, more radiantly," day by day. It is evidently destined to lead to yet undreamt-of good. Just as the Medical Inspection of Schools had for its original object merely the early detection and isolation of contagious diseases, but has by a natural growth become so important a factor in the betterment of all that pertains to school life, so this attempt to prevent disease by inspection and supervision of infants, (who really need such supervision much more than older children, as witness the comparative mortality rates) will doubtless lead to much more than we at present realize. We feel that we are building better than we know. And if it be true, as was said by Phillips Brooks, that "He who helps a child helps humanity with a distinctness and a definiteness which no other help given to human creatures can possibly give," surely here is one of the most logically worthy objects in the wide world for the exercise of practical philanthropy.

Since the Consultations were established under Dr. Conally's direction in June, one of the five hundred babies has died. There has been a fifty per cent. increase in the demand for the modified milk furnished at cost by the committee—this in spite of greater care than ever to prevent the early weaning of babies whose mothers can be made to nurse them. During the month from June 24th, the date of opening the first Consultation for mothers, to July 24th, 1909, the number of deaths of babies in Boston was 104 less than during the corresponding period of 1908." This plan, as outlined above, now in operation in Boston, under the direction of Mr. Walter E. Kruesi, is perhaps the best and most effectual. Of the value of such work there can be no doubt.

The Milk Committee of the New York Association for improving the condition of the poor, has conducted a campaign which has already had splendid results. Dr. Darlington, the head of the Department of Health in New York, has under him a corps of physicians and nurses, who, during the school vacation, devote themselves wholly to Health Department work, cheifly for the babies. A Register is kept of every baby in New York, and mother and baby are visited, advised and helped.

Conference at Yale University.

On November 11th and 12th, 1909, the American Academy of Medicine held a conference on Infant Mortality at Yale University, where an impetus was given to the study of the question and there was gathered a large number of those interested in the question, citizens, physicians, philanthropists, doctors, nurses, educators and others. Several of the conclusions reached have already been referred to, especially those in Dr. Devine's paper. A brief list of some of the more important papers follows, and it will be seen at once that this congress was a remarkable one. In point of attendance and interest, it would rank high, but its significance includes also the plans suggested, and the far-reaching character of its conclusions. The personnel of the meeting was unusual. Not talkers, but workers, gathered there. Among the papers were:

The Relation of Alcoholism to Infant Mortality, Dr. J. H. Mason Knox, Jr., Associate in Pediatrics, the Johns Hopkins University Medical School.

The Relation of Tuberculosis to Infant Mortality, Dr. Clemens von Pirquet, Professor of Pediatrics in the Johns Hopkins University.

The Relation of Syphilis to Infant Mortality, Dr. Richard A. Urquhart, Instructor in Pedriatrics at the Johns Hopkins Medical School, Baltimore.

Institutional Prevention of Infant Mortality, Mr. Homer Folks, Secretary of the New York State Charities Aid Association.

In institutions for providing a home for presumably well infants mortality has always tended to be very high. Of 28,436 babies received at the St. Petersburgh Foundling Hospital, 24,272 died, 85 per cent. In such institutions mortality has been reduced, but is still excessively high, not more than 50 per cent. surviving amongst the best institutions.

This is not from neglect. Artificial feeding is what kills babies in infant homes. Babies and their mothers should be kept together.

Hospitals for sick babies are necessary and valuable.

Providing Situations for and Otherwise Assisting Homeless "Mothers with Their Infants."

Miss Mary R. Mason, Agent of the Committee on Assisting and Providing Situations for Mothers with Infants, New York City.

Abstract: The death-rate is frequently 90 to 100 per cent. when babies are separated from their mothers.

Agencies find it entirely practicable to place women with babies in domestic service, chiefly in the country or small towns, with wholesome environment. Increasing stringency in the domestic service market increases desirable opportunities. The Philadelphia Society, 1908, placed 609 mothers. In 15 years the New York Agency has provided over 7,000 situations. Statistics are difficult to present as the situation is usually only temporary (until father obtains work, or families are reconciled; many widowed or unmarried marry). In three years (1900-1902) of the mothers kept track of four-fifths of the babies lived and were in good condition; one-fifth died or were in poor condition.

Agencies need closer co-operation with maternity hospitals to induce mothers to keep, not abandon their babies; more temporary homes; more places for training incompetent mothers. The plan of keeping mothers and babies together is susceptible of much wider application.

National Association to Prevent Infant Mortality.

At the conclusion of the Conference, it was decided to organize a National Association for the Study and Prevention of Infant Mortality, which was accordingly done.

The directors as elected held a meeting and elected officers and arranged to hold the first meeting in Baltimore some time next fall. Dr. J. H. Mason Knox, Jr., of Baltimore, was elected President; Dr. Henry I. Bowditch, of Boston, Secretary. Prof. Charles R. Henderson, of the University of Chicago, was named as the President-elect.

Great Britain.

In October, 1905, an International Congress on Infants' Milk Depots was held in Paris, and among others there were present, Mr. Benjamin Broadbent, Mayor of Huddersfield, and Baillie W. Fleming Anderson, Chairman of the Health Committee, of Glasgow. On their return, these gentlemen used their influence to have a National Conference on Infant Mortality summoned in Great Britain. The result of their efforts was the First National Conference on Infant Mortality, under the patronage of their Majesties King Edward VII. and Queen Alexandra, in Caxton Hall, Westminster, on June 13th and 14th. 1906. The President of the Conference was the Rt. Hon. John Burns, M.P., who delivered an inaugural address of a memorable character. After pointing out that in the last 50 years the average age of engineers has been extended ten or twelve years, he adds, "In that period of fifty years, the infant mortality has been stationary, or slowly declining. Wealth has increased, but the infant has not shared in it; physical comforts undoubtedly have enlarged, but the weakest, the smallest, and the dearest to us all, alone bear unduly the penalty and the burden of death." Mr. Burns' chief remedy for Infant Mortality is, First, "Concentrate on the mother. Let us glorify, purify and dignify motherhood by every means in our power. Let us see to the nursing child in every way. Nourish the mother, you feed the child."

The Conference produced a profound impression in Great Britain, and doubtless this influence, and the influence of a second Conference of the same character, in March, 1908, again under the patronage of their Majesties, and under the Presidency of the Rt. Hon. John Burns, had a determining part in the Children's Bill, (brought in by Mr. Herbert Samuel, M.P., a leading member of the Conference), recently enacted, which has special provisions in regard to Infant Mortality. Other legislation mentioned by Mr. Burns, in his President's address at the second National Conference, as being closely connected with the work of the Conference, were as follows:—

The Medical Inspection of School Children.
The Optional Feeding of School Children.
The Butter and Margarine Act.
Prohibition of Night Work for Women.
Laundries' Hours' Act.
Notification of Births Act

and the attention given to legislative work in other subjects, particularly in regard to milk. Mr. Burns also draws attention to the fact that where illiteracy prevails most among women, the Infant Mortality rate is proportionate; and said that whereas in 1870, 199 women who were married, signed their marriage lines with a cross, only 20 do so to-day.

WHAT WE CAN DO TO PREVENT INFANT MORTALITY.

I.—Nursing.

It is evident, and it must be made known and thoroughly taught and impressed upon everyone, that the great and most effectual and important means of lessening infant mortality, is that the baby should be nursed by the mother. The mother needs adequate nourishment, skilled attention and protection from overwork. Her great work is the child until it is a year old at least, and if in want she should be supported (see Boston plan) by a pension while she is doing this, and both she and the child should have medical supervision.

We forget that good nourishment is the urgent necessity of a nursing mother. Hutchinson says that—

"The chemical energy expended daily in nursing an infant six months of age, would be sufficient to raise a ton weight 800 feet high—or more than twice as high as the top of the dome of St. Paul's."

Why Does a Mother Not Nurse Her Child?

1.—Ignorance—She does not know that it makes all the difference to the child. When she does know, she nurses it. Most mothers think cow's milk is just as good. We must tell her that is not so.

2. Because the mother-in-law, or the sister-in-law, or the nurse, or the neighbour, or some other meddling busybody, has told her not to, etc. Many people ignorantly give this advice. We must give her skilled medical advice.

3. Because, in a very small proportion of cases (not more than 1 in 100, or 1 in 1000) she cannot nurse her child, or, (rarer still) the milk does not agree with the child. Here again she needs skilled medical advice.

4. Because she has to work and she cannot take the child with her or come back to it. This is something we must set our faces against as a public danger. Everything possible must be done to avert this calamity to the child, and prevent the community making the blunder of allowing it. *It should not be allowed to happen. The mother should have a pension, if necessary, to take care of the family. She is the one to save the baby, and the only one.* Later on, if the baby is bigger, a few months old, and the mother must work, everything should be done to improve conditions for her. A nursing mother, if she has to work, should have short hours, and lunch early, and generally good conditions. If sanitary conditions were good—light, air, and cleanliness—it would be much better.

In England, the Factory Act of 1901 states: "An occupier of a factory or workshop shall not knowingly allow a woman or girl to be employed therein within four weeks after she has given birth to a child."

In Mulhouse, Mr. Dollfus, who owned a large cotton mill, established a fund to which all the married women subscribed, and he personally contributed. Each woman subscribing received from the fund sufficient for her support during the two months following her confinement. On resuming work at the end of this two months, she was granted time at mid-day to return home and care for her baby. This procedure alone reduced the infant mortality more than 50 per cent.

In France and Italy the advantages of breast-feeding are recognized by the government. In France it is common in factories to post placards describing the advantages of breast-feeding and offering every opportunity to women to nurse their infants, including special rooms; and the women are allowed leave of absence at intervals for this purpose. In Italy such a room is obligatory in every establishment employing more than 50 women.

The chief advantage of Infants' Milk Depots and Consultations is, that they encourage nursing by the mother, and give skilled medical supervision and nourishment for the mother.

At Varengeville before the establishment of the Consultations des Nourrissons not a single mother breast-fed her own child. At the end of the first year the percentage of breast-fed children was raised to 47.5 and at the end of the second year to 75 per cent.

At Saint-Pol only 22 per cent. of mothers breast-fed their own children before the establishment of the Consultations; at the end of the first year the percentage was raised to 35 per cent. and at the end of the second year to 77 per cent.

At Dr. Bresset's Consultation in the rue St. Dominique in Paris only 40 per cent. of mothers breast-fed their own children before the establishment of the clinic; at the end of the first year the percentage had been raised to 63 per cent., and at the end of the second year to 81 per cent.

Before the establishment of Dr. Bresset's Consultation in the rue Oudinot, 61 per cent. of mothers breast-fed their own children; at the end of the first year this percentage had been increased to 67 per cent., and at the end of the second year to 71 per cent.

The close relation between the increase in the number of breast-fed children and the decrease of infant mortality indicates the true responsibility of a milk depot. In its normal development it should sell less and less modified milk to babies and more and more whole milk to mothers; becoming ultimately a clean milk depot from which food is fed through the mother to the child."

II.—Education.

A campaign of education should be undertaken forthwith, to arouse public sentiment, to awaken interest and to enlist the co-operation of patriotic and able citizens who would guide the movement to good results. The clergy, the various societies, the medical profession and others are much needed for this. Practically, we expect the ideal mother to know everything by instinct, without giving her any chance to learn. We might much better expect her to read by instinct, for the alphabet can always be found not far away. We teach reading, and we leave parenthood to come by chance. It does not so come, and there is great need that our people, most of whom are to be parents, should be educated with this great privilege and responsibility and power in view. It would almost seem that as yet we have barely recognized the fact that instinct has lapsed in us, to give play to intelligence. Humanity could never have been evolved at all if mothers did not love babies. But of all details she is bereft. She has instead, an immeasurably greater thing, intelligence; but whilst intelligence can learn everything, it has everything to learn. Instinct can learn nothing, but is perfect from the first, within its impassable limits.

The mother cat not merely has a far less helpless creature to succour, but she has a far superior inherent or instinctive equipment. She knows the best food for her kitten. She does not give it "the same as we have ourselves," but her own breast invariably. None of us can teach her anything as to washing her kitten or keeping it warm. She can even play with it, and so educate it, in so far as it needs education. There are mothers in all classes of the community who should be ashamed to look a tabby cat in the face."—*Dr. Saleeby.*

We educate and train and instruct for every other possible calling and responsibility, and as yet we have failed to evolve a training for the vocation of parenthood, the most important of them all. As a nation we have only one chance to do this. It is in our national schools.

When the mother-to-be has become the mother-that-is, she is a great deal besides. She is often cook and seamstress and laundress and housekeeper and all. There is no apathy on the part of any mother one ever meets as to the welfare of her child. But she does not know. How is she to learn? The school seems the only place. And here the school doctor and the school nurse will come in with the love of the work, which is the mark of the truly professional man or woman; they will find a way, without hurting the feelings of the most modest child, in tactful, and restrained and scientific language, to impress on the minds of boys and girls about fourteen years of age, before they leave our public schools, the most important principles on which our duty to our heirs and successors, depends. In Germany, it is customary before boys leave school, to send a notice to the father that a lecture is to be given by a medical man on such important topics, and the father is asked to say if he is willing that the boy shall attend, and invited to attend himself. Similar lectures should be given to girls by a medical woman. Think what an opportunity we miss when we do not avail ourselves of the one chance we have to tell the youth of the nation things the future parents ought to know. How quickly we could tell everybody, for example, the supreme importance of the nursing of children at the mother's breast, if we took this plan.

Canadians should covet the reputation of having good children and being good parents. It is true patriotism.

III.—INTEREST.

The greatest lack of all is a lack of interest in this problem. It is a great safeguard for the people when rulers and influential citizens have lived a right and natural life and when the baby fingers of child or grandchild or stranger child can reach the heart of those who guide public policy.

In San Francisco last summer, a wealthy woman looked at her maid's baby and saw how pale and thin he was in contrast with her own chubby child. She found that the poor child was being boarded by the Associated Charities, and they could not afford to buy certified milk. She brought the matter before a College Women's Association, to which she belonged—the Association of Collegiate Alumnæ. They took the matter right up, planned a campaign, issued 2,000 Coin Cards with this on one side:

"When the fog rolls in from the ocean, and the wind begins to blow,
And you pack up your belongings for the seashore or the snow;
Won't you leave behind some money for milk that's clean and pure,
For the little helpless babies of San Francisco's poor?"

And this on the other:

"Certified milk means health and a fighting chance against tuberculosis and other diseases. Certified milk means a decreased infant mortality. Surely the little ones deserve a chance. Help us provide certified milk for the babies who must otherwise depend upon milk from impure sources."

In two days the coin cards brought in $55.44. What did it? The kind eyes of the wealthy mother that looked on the other baby.

Nobody is too busy to take interest in this, the nearest question of national welfare. The Bishop of London, the Rt. Rev. Winnington Ingram, is said to be the busiest man in the world. In July, 1909, he found time to go to the St. Clement's Maternity Home, at Fulham, in that East End of London he knows so well, in order to encourage the efforts made there to lessen infantile mortality, which is there very great. Prizes were offered to all the mothers whose infants showed care and attention, and these were distributed by one of the Princesses of Teck, assisted by the Bishop of London. Seventy-eight prizes were given, most of which were articles of clothing, but two of them were the well-known collapsible carriages. The Bishop took one of the carriages, placed a prize winner in it, and wheeled the baby along the terrace, followed by the Vicar, who did likewise. The Bishop, in his speech, said that he could not imagine a more delightful scene than the one they were witnessing that afternoon. It meant a great deal both to the nation and to the church. He had been for years trying to back up the efforts both of Miss Heatley and her excellent staff at the Maternity Home, and of others, in seeing that the children of the nation were properly feed and looked after in their early years. No one who saw those fat, rosy, smiling, jolly babies could fail to acknowledge that a great improvement had been effected. He loved to see their dear old church in the thick of everything that was for the good of the people. They had to learn from their Master to care for the bodies as well as for the souls of the people, and he could not imagine a more beneficent work for the church to put her hand to than to help people to bring up their children, not only fat and rosy, but good Christians also.

Is there any reason why someone in every parish in Ontario should not do what a parish priest did in Quebec?

In Vol. 9 *Bulletin Sanitaire,* published by the Provincial Board of Health of Quebec, we find that he noticed the large mortality among infants in his parish and came to the conclusion that the ignorance of their mothers and lack of proper care were principally responsible for the sad results. Speaking from the pulpit, he pleaded with the mothers of children about their duties towards their offspring and enlarged on the proper care of infants.

Before the sermon was given to the mothers 19.78 per cent. of new-born children died in that parish; since then 8.53 per cent. have died; a saving of 18 lives in one parish in two years (1907-1908).

The greatest agency to prevent Infant Mortality is the sympathetic, efficient experienced visitor, who reaches the mother if possible before the baby is a day old. The question of nursing or no nursing is generally settled one way or the other within the first 24 or 48 hours.

IV.—Efficiency.

We always come back to the personal equation. The efficient person, the adequate and strong character, the person of principle and affection, will succeed where the weakling, the unemployable, untidy, unthrifty, good for nothing, will never succeed.

Dr. Hope, of Liverpool, took 874 families, consecutively, because an infant had died in each family, and found that the total number of children in these families was 3801, and that 1895 had perished—practically all in infancy—a rate of 498 per thousand. Of such is one special case, Mrs. E., who had 14 children, and 10 of them died in infancy, all of them being artificially fed. She is an incapable woman and regards the death of her children as an inevitable matter.

On the other hand, Mrs. S., of No. 6 T. St., has 7 living children, all healthy, the youngest two being twins of four months old. Mrs. S. is a genius. The father is a dock labourer, and his wages are about 12s. per week. The house is very clean and comfortable, and the children are well cared for, those of school age attending school. The mother is nursing the twins regularly, and receiving milk for herself from the Corporation Milk Depot, and it is a striking example of what can be done with very little money, when it is not wasted in drink and gambling.

V.—NOTIFICATION AND REGISTRATION.

Births should be notified at once. The new English Act provides that this must be done within three days. In this Province the limit is 30 days. In Huddersfield, all births practically are notified within 48 hours. The best way would seem to be to give a fee of 1s. or 2s. for notification. It is worth it. Nothing can be done until we know where the babies are, and when they arrive. Then we can send visitors (skilled and experienced—the mothers know too much to listen to theorists) and get into touch with them at once and give printed information and other information. That is what our enterprising friends, dealers in "Baby Exterminators" (patent foods) do now. They send to every mother as soon as the birth appears in the newspapers, much printed matter, with congratulations and pictures and advice, most of it bad.

VI.—INFANT MORTALITY BEFORE BIRTH.

Probably, as soon as we are educated a little farther, the doctor should also be requested to report, or notify all cases of abortion or miscarriage. There are grave reasons for this. It is only too well known that in this Province we have disgraceful instances of criminal abortion, every little while.

Always, on a death certificate for a child under a year old, it should be stated how the child was fed, in detail, and how long it was nursed.

The number of births and deaths should be reported weekly to the Provincial authorities and published in the newspapers. This would stir up everybody and keep up public interest, especially where improvement may be noted.

The visitor's work in connection with the Health Department is most important. One fully qualified visitor is required for about every 1000 infants registered in a year.

VII.—INFECTIOUS DISEASES.

Protection of nurslings against infectious diseases is very important.

Free diphtheria anti-toxin for poor children should be provided by the Health Department.

VIII.—OVER-CROWDING.

Overcrowding is present in at least one city in Ontario. There are families living in one room. This problem should be dealt with at once. It causes Infant Mortality.

IX.—INSTITUTIONS.

Institution children whose mothers are dead or absent, should have a Nurse-Mother, who will at least sometimes hold the babies in her arms.

Babies should not be allowed to remain in Institutions. Every effort should be made to get a home for the mother and the child. Nurses should visit these homes regularly, and the infants should be carefully protected by law. No Institution should be allowed to take a baby separated from its mother, (often before she has seen it) for $50 or any other sum. It is said that this is done at present in certain places in Ontario.

X.—ALCOHOL.

Alcohol is poison to a child, and if the mother drinks it, the baby is poisoned. This should be made known.

XI.—PARENTAL RESPONSIBILITY.

Parents' responsibilities, especially in the case of fathers, should be brought home to them. The great attention directed to this subject in Britain, France and the United States, has enforced and strengthened the sense of parental responsibility.

XII.—MILK.

At about nine months of age, the baby should begin to use clean cow's milk. Sometimes babies have to use it sooner. Improvement in the milk supply alone has been known to cut the infant mortality rate in two. We urgently need legislation defining clean milk, giving a legal standard, both chemical and bacteriological, and requiring a nourishing milk with a low bacterial count and clean. The provision of free ice in summer is very important for poor mothers. Milk Depots are good, but Consultations are better, and their success is measured by the small quantity of milk they sell and the large number of nursing babies and mothers that come to them.

XIII.—CITY CONDITIONS.

Conditions in the city must be made as nearly like good country conditions as possible.

More parks and open spaces are needed, more workingmen's houses on the outskirts of the city. More chances for holidays and fresh air funds, and more sympathetic neighbourliness, a matter in which the health visitor can help.

XIV.—FOODS AND DRUGS FOR BABIES.

Foods sold for babies should be labelled in accordance with facts, and not described as "a perfect substitute for mother's milk." These foods should not be used till the baby is nine months old at least, and then only by the advice of a physician.

Mrs. Winslow's Soothing Syrup should be marked in accordance with its contents. It contains opium.

Steedman's Powders should be marked as containing calomel and starch, and so with similar preparations.

CONCLUSION.

Looking back only three years, it will be seen how great has been the progress in Britain about Infant Mortality. It is far ahead of Ontario. England, with an infant mortality rate of 132 per 1,000, is far ahead of Ontario; and Scotland and Ireland are farther ahead still. We have not even the figures for 1908 published, and in 1907, Ontario had an infant death rate of 150. London itself has an infant death rate of 113, and England is a country where the conditions of life are not easy, "where industries flourish, where mothers labour, and where babies decay."

"MISTRESS IN MY OWN."

It remains for those who proudly say,

"Daughter am I in my Mother's house,
But Mistress in my own,"

to set that house in order.

The lines are fallen unto us in pleasant places, but our goodly heritage will go to the sons of the stranger, unless we put our hands and our minds in earnest to the work of rearing an Imperial race. The Jews have discovered the secret of National Immortality, and what is it? It is very simple. "Take care of your children." The future of our Province, the future of our country, the future of our Empire, the future of our race, is signified by the same sign, and that sign is a child.

Before the babe this year newly-born, or yet unborn, takes his first step and speaks his first word, the question of vigour or degeneracy is almost settled for him. The keys that unlock the problem of Infant Mortality, are the keys of National and Imperial hope and power.

ANNUAL REPORT

OF THE

Bureau of Colonization

FOR THE

PROVINCE OF ONTARIO

1909

(PUBLISHED BY THE ONTARIO DEPARTMENT OF AGRICULTURE, TORONTO)

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To the Honourable John Morison Gibson, K.C., LL.D., *etc., etc., etc.,*
Lieutenant-Governor of the Province of Ontario.

May it Please Your Honour:

The undersigned begs to present herewith for the consideration of Your Honour the Report of The Ontario Bureau of Colonization for 1909.

Respectfully submitted.

JAMES S. DUFF,
Minister of Agriculture.

Toronto, 1910.

Report of Bureau of Colonization.

To the Honourable The Minister of Agriculture.

Sir,—I have the honor of submitting my first Annual Report as Director of Colonization. As my appointment to the position took place on the 8th of March, the Report must necessarily be brief, covering as it does a period of less than eight months. The work was mainly along the lines carried on by my predecessor, who occupied the position since its inception in 1900.

ADVERTISING.

The advantages of the Province, as a field for immigration, have been set forth in special articles and advertisements in the press of the United States and Great Britain. A new illustrated Handbook on the Province, containing one hundred pages, has been published, one hundred thousand copies of which are being circulated chiefly in Great Britain.

The supply of farm help to the Ontario farmer has been made a special feature of the work of the Bureau.

Material has also been collected with a view to directing public attention to the advantages Northern Ontario offers to the homesteader. The immense area of good agricultural land now being opened up through the construction of railways in that region, will demand the best advertising efforts of this Branch of your Department in the future.

IMMIGRATION.

The migration of the rural population of Old Ontario to Western Canada, and the movement citywards that has continued for the past twenty years compels Ontario to go outside of her borders for people to develop her latent resources.

While immigration naturally and properly appertains to the Federal Government, the trend of emigration has for years been mainly directed through advertising and literature to Western Canada. This may be to some extent due to the perfectly natural desire of the Federal Government, who control the Crown Lands there, and of Corporations who control large areas, to have these parts peopled as rapidly as possible.

With the tide of immigration flowing in that direction; with the press of Canada (Ontario in particular), from the time the seed was placed in the ground, until the crop was harvested, continually referring to the army of men required to harvest the crops of the West, and with the railways discriminating against Ontario in the matter of cheap excursions, offered to Ontario farm labourers, at the very season when their services were most urgently required here, farm help has been greatly reduced, farmers have been discouraged, the cultivation of stubble land immediately after harvest has been correspondingly neglected, and there has been an alarming spread of noxious weeds, as well as the infliction of other forms of injury.

With a view to overcoming this condition of affairs, and meeting the demands of the situation, it was deemed advisable to resume the distribution of immigrants by the Province, which had been given over to the Federal Government two years ago. An office for this purpose was opened early in the year, near the Union Railway Station in Toronto. The Ontario Government Emigration Agents in Great Britain were requested to direct all emigrants desiring farm work to this office, to be distributed from there. Booking agents in Great Britain were also communicated with, many of whom sent men direct to us, being assured that situations would be provided for them on arrival here.

The number placed on farms in Ontario by the Bureau was 271; by the Salvation Army, 963; domestic servants placed by the Salvation Army, 66, and domestics given accommodation at the Womens Welcome Hostel and placed, 258. Outside of these many were placed by the Dominion Government Local Agents.

It would appear that the immigration to Ontario from Great Britain for a number of years has not been of the most suitable kind for farm work. The experienced farm hands from the Old Land are satisfied, and doing well. But the temporary relief that has been attempted by sending out, and placing those unsuited by temperament and training for farm work with Ontario farmers has been most unsatisfactory. After a few months on the land they return to the cities and send home damaging reports, which injure Ontario, as a prospect in the eyes of more desirable immigrants. This was particularly noticeable during the Winters of, 1907 and 1908. Articles relating to the unemployed in Toronto were copied by British papers, and published broadcast throughout Great Britain.

The report of the High Commissioner for Canada, for the year ending March 31st, 1909, shows that 81,321 British subjects emigrated to Canada, and that during the same year 38,866 had returned.

COLONIZATION.

The importance of colonizing the Crown Lands of Northern Ontario has been already referred to. The influence exercised by the Bureau is confined chiefly to advertising, circulating literature and answering inquiries regarding opportunities afforded, particularly relating to the climate, quality of soil, timber, etc.

The sale and location of homesteads coming under the Department of Lands, Forests and Mines, the Colonization Roads being under the Department of Public Works, the only record we have regarding settlement is the number of certificates for colonization rates, issued to settlers and the Land Guides furnished to those who are looking for land. During the year 2,184 certificates have been issued.

The greatest obstacles to the rapid development of Northern Ontario's agricultural resources are its other investments and an abundance of work to be had everywhere at high wages. The man with considerable means has many avenues in which to invest his capital. The man with little or no means finds the opportunity to obtain ready money for his labour to be such that the clearing of the land is neglected. The rich discoveries of valuable minerals in many districts, far remote from each other, also fill the mind of the settler with a desire to acquire wealth quickly, and he frequently becomes a prospector. These features emphasize the divergent advantages this part of the Province affords to the man with little or no capital. Then the modest settlement duties required can be accomplished in six months and gives the settler the opportunity of earning a comfortable income during the other six. And the revenue to be obtained from the sale of pulp wood and timber, also tends to delay the clearing of the land. But the reward for those who have confined their efforts to the clearing of their land and bringing it under cultivation is now seen in many instances, and far outweighs the temporary returns from the other resources referred to.

Without speaking disparagingly of the richness of the mineral resources of the country, it is apparent that a more sure and certain reward is assured the settler who acquires for himself one hundred and sixty acres of this rich and fertile land, with a market at its door, for all that can be produced for many years to come, and at prices not to be obtained anywhere, owing to the great distance supplies have to be shipped from outside points.

Interesting accounts are related by many of the settlers of what they have accomplished in a few years, and who point with pride to their farms, with ever-widening clearing, comfortable houses and farm buildings, rapidly increasing in value. They compare these years with many of the best years of their lives, previously given to other occupations, where there was no opportunity to provide for their declining years.

DEMONSTRATION FARM, MONTEITH.

With a view to demonstrating the agricultural possibilities of the vast tract of land drained by the great rivers flowing north to James Bay, a farm containing 640 acres was selected in 1907, situated in the Townships of Clergue and Walker and crossed by the T. & N. O. Railway, four hundred and forty-five miles by rail, north of Toronto, and thirty-four miles south of Cochrane, the present terminus of the T. & N. O. Railway, and the junction with the Grand Trunk Pacific Railway, now under construction.

This should prove an ideal site for such a farm, being easily reached from all directions, and will in a few years be the centre of a flourishing agricultural district. The Surveyors' reports of this district, state that this is one of the few districts in the Clay Belt that have not at some time been burnt over. The timber, which is principally whitewood or balm-of-gilead and spruce, is much larger than the general run of the district.

About 90 acres of the timber had been slashed on this farm in 1907, and the fire having got into it from a clearing being made for a section-house on the railway, it was all burnt over. About 30 acres of this were logged in the fall of 1908.

Early in the present year a number of men were employed, and an outfit purchased, consisting of a team of horses, the necessary implements, and provisions and supplies for camp. About twelve acres of the land were stumped and will be ready for crop next year. Two acres of this were sown with Fall wheat. The timber having been cut out during the winter, the tendency of the whitewood to throw out shoots from the roots prevents the stump from decaying and necessitates the use of stumping powder, in order to remove the larger ones on the high land.

A house and barn were also built which will meet the requirements of the farm for sometime. It will now be much easier, and less expensive to carry on the work in the future. The revenue from the pulpwood should render the clearing of the land, on which the timber is now standing, a source of profit, rather than expense.

Considerable difficulty was experienced in retaining men at the work, owing to the high wages being paid by prospectors, and the unsettled condition arising from roports of valuable discoveries of minerals, at no great distance from the farm. The importance of the work to be done on the farm will warrant the appointment of a permanent superintendent to carry on experiments and give a detailed report.

D. SUTHERLAND,

Director.

PARLIAMENT BUILDINGS, TORONTO.

BINDING SECT. AUG 24 1967